

## **Title 6**

# **MEAT, POULTRY, RABBIT AND AQUATIC FOODS (MPRAF)\***

\* **Note to Title 6.** For administrative rules relevant to this title, look for a following "R" title of the same number.

## **Chapter 6.02**

### **GENERAL PROVISIONS**

#### **6.02.010 Short title.**

The rules and regulations set out in this title may be cited and referred to, and shall be known as the "King County MPRAF Code."  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.02.020 Purpose and policy.**

A. This title is enacted as an exercise of the board of health powers of King County pursuant to RCW Sections 43.20.050, 70.05.060 and WAC Section 246-213, including the latest revisions or amendments thereof, to protect, preserve and promote the public health. Its provisions shall be liberally construed for the accomplishment of these purposes.

B. It is expressly the purpose of this title to provide for and promote the health of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this title.

C. It is the specific intent of this title to place the obligation of complying with its requirements upon the owner or operator of each MPRAF establishment within its scope, and no provision nor term used in this title is intended to impose any duty whatsoever upon King County or any of its officers or employees, for whom the implementation or enforcement of this title shall be discretionary and not mandatory.

D. Nothing contained in this title is intended to be nor shall be construed to create or form the basis for any liability on the part of King County, or its officers, employees or agents, for any injury or damage resulting from the failure of any person subject to this title to comply with this title, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this title on the part of King County by its officers, employees or agents.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.02.030 Enforcement authority.**

The health officer is authorized to enforce the provisions of this title in accordance with Chapter 1.08 of this code and Chapters 6.62, 6.64, and 6.66 of this title.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.02.040 Authority to promulgate rules.**

The health officer is authorized to adopt administrative rules not inconsistent with the provisions of this title for the purpose of enforcing and carrying out its provisions.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.02.050 Construction.**

It is the intent of the board of health that this title shall be interpreted to conform to Title 5 of this code in matters not specific to the sale, preparation for sale, processing, storage or transportation of MPRAF and MPRAF products. If any provision of this title is less stringent than Chapter 246-215 WAC including the latest revisions or amendments thereof, the more stringent provision of Chapter 246-215 WAC shall govern.  
(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.04 DEFINITIONS**

#### **6.04.010 Generally.**

As used in this title, unless the context clearly requires another meaning, the words defined in this chapter shall have the meaning given them in this chapter.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.020 Abbreviations.**

- A. "DOH" means Washington State Department of Health.
- B. "FDA" means United States Food and Drug Administration.
- C. "HACCP" means hazard analysis, critical control point.
- D. "MPRAF" means meat, poultry, rabbit and aquatic foods.
- E. "PPM" means parts per million.
- F. "USA" means United States of America.
- G. "USDA" means United States Department of Agriculture.
- H. "USDC" means United States Department of Commerce.
- I. "WSDA" means Washington State Department of Agriculture.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.030 Adulterated.**

"Adulterated" means the condition of a food:

- A. If it bears or contains poisonous or deleterious substance in a quantity that may render it injurious to health;
- B. If it bears or contains any added poisonous or deleterious substance for which no safe

tolerance has been established by regulation, or in excess of such tolerance if one has been established;

C. If it consists in whole or in part of any filthy or decomposed substance, or if it is otherwise unfit for human consumption;

D. If it has been processed, prepared, packed or held under an unsanitary condition, whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;

E. If it is in whole or in part the product of a diseased animal, or an animal that has died otherwise than by slaughter; or

F. If its container is composed in whole or in part of any poisonous or deleterious substance that may render the contents injurious to health.

G. Additional adulterants for sausage and ground MPRAF specified in Section 6.16.020. (R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.040 Apprentice meat cutter.**

"Apprentice meat cutter" means any person in an MPRAF establishment employed for the purpose of selling meat and/or learning meat cutting under a Washington State-approved meat cutters' apprenticeship program.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.050 Approved.**

"Approved" means approved in writing by the health officer.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.060 Approved source.**

"Approved source" means an MPRAF establishment which complies with applicable federal, state and local laws, ordinances and regulations.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.070 Aquatic foods.**

"Aquatic foods" means foods grown in or harvested from water, including all types of fish, shellfish and mollusks, terrestrial snails, edible crustacea, reptiles, amphibians, and mixtures containing aquatic foods and synthetic foods, such as surimi, and are intended for human consumption.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.080 Bulk food.**

"Bulk food" means processed or unprocessed food in containers where consumers withdraw desired quantities.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.090 Consumer.**

"Consumer" means a person who eats or drinks food or purchases or receives food products for personal consumption and not for resale.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.100 Consumer date.**

"Consumer date" means a date printed on a consumer package that clearly states a specific calendar date by day and month.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.110 Consumer packaged.**

"Consumer packaged" means a completely wrapped package or container, either institutional or single service in size, consumer dated or undated, which is labeled at time of wrapping with a description of the package contents, lists all ingredients in order of prominence, if more than one ingredient is contained in the packaged product, and identifies the establishment by name and address or number from which the package was processed. Grade, if required, will be included.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.120 Corrosion-resistant.**

"Corrosion-resistant" means a material maintaining original surface characteristics under prolonged contact with food, cleaning compounds or sanitizing solutions, and the general conditions-of-use environment.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.130 Critical control point.**

"Critical control point" means a location where exercising a preventive measure or procedure eliminates, prevents or minimizes a hazard or hazards from occurring after that point.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.140 Cross-contamination.**

"Cross-contamination" means the process where disease causing organisms are transferred from raw or other foods to equipment or ready-to-eat foods.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.150 Cured.**

"Cured" means having been cured by cooking, smoking, salting, drying or other recognized trade process of curing.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.160 Cured sausage.**

"Cured sausage" means all MPRAF food products prepared in whole or in part from chopped or ground MPRAF and further processed by curing, and molded or encased in artificial or natural animal casing.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.170 Department.**

"Department" means the Seattle-King County department of public health.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.180 Dispense.**

As part of a licensed or permitted MPRAF establishment, "dispense" means to sell, to give away as a part of a demonstration or other commercial activity, to barter, to trade or to otherwise merchandise; to offer to do any of the preceding activity; or to sponsor an advertisement to dispense, but does not mean to dispose of as garbage, swill or other waste product.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.190 Durable.**

"Durable" means capable of withstanding expected use and remaining easily cleanable.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.200 Easily cleanable.**

"Easily cleanable" means readily accessible with materials and finish fabricated to permit complete removal of residue by normal cleaning methods.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.210 Equipment.**

"Equipment" means all cubers, grinders, tablesaws, wrap machines, wipe machines, stoves, ovens, ranges, hoods, slicers, mixers, meatblocks, tables, counters, refrigerators, sinks, dishwashing machines, steam-tables, and similar items, other than utensils, used in the operation of an MPRAF establishment.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.220 Extensively remodeled.**

"Extensively remodeled" means having undergone a change in condition from that existing prior to the commencement of the remodeling work, that results in one or more of the following circumstances:

A. The square footage of the MPRAF preparation area or the area where MPRAF is sold to the public is increased by more than twenty percent (20%);

B. MPRAF service capacity is increased by more than twenty percent (20%) by the installation of equipment or fixtures.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.230 Fabricated.**

"Fabricated" means potentially hazardous foods combined with other ingredients and formed into a new MPRAF product.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.240 Food.**

"Food" means any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale, in whole or in part, for human consumption.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.250 Food additive.**

"Food additive" means substances added directly or indirectly to food.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.260 Food contact surfaces.**

"Food contact surfaces" means those surfaces of equipment and utensils normally contacting food, and those surfaces where food may drain, drip, or splash back onto surfaces normally in contact with food.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.270 Food demonstration.**

"Food demonstration" means the serving, without charge, of any sample of food, drink or MPRAF product for the purpose of publicizing, advertising, or promoting the sale of that food, food product, or associated food preparation equipment.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.280 Food demonstrator.**

"Food demonstrator" means any business which provides personnel who conduct food demonstrations.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.290 Food preparation.**

"Food preparation" means thawing, cooking, cooling, heating, reheating, putting together, cutting, slicing, dividing, mixing, portioning, or packaging food for a consumer, except that trimming or cleaning of whole vegetables or fruits for display and sale shall not be considered food preparation.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.300 Food service establishment.**

"Food service establishment" means:

A. A place, location, operation, site, or facility where food is manufactured, prepared, processed, packaged, dispensed, distributed, sold, served, or offered to the consumer regardless of whether or not compensation for food occurs, including but not limited to:

1. Restaurants, snack bars, cafeterias, taverns, bars;
2. Retail food stores, supermarkets, MPRAF establishments, retail bakeries, delicatessens;
3. Institutional operations licensed by the department or local health officer, such as

schools, hospitals, jails, prisons, and child care facilities;

4. Central preparations sites, including caterers;
5. Satellite servicing locations;
6. Temporary food service establishments or mobile food units;
7. Bed and breakfast operations;
8. Remote feeding sites; and
9. Vending machines dispensing potentially hazardous foods.

B. Except for the following:

1. Private homes where food is prepared or served for consumption by household members and/or their guests;

2. Establishments offering only commercially prepackaged nonpotentially hazardous foods;

3. Commercial food processing establishments, licensed and regulated by the USDA, USDC, FDA, or WSDA; and

4. Farmers exempt from licensure under RCW Section 36.71.090.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.310 Food service worker.**

"Food service worker" means the permit holder, an individual having supervisory or management duties, and any other person working in an MPRAF establishment.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.320 Fresh.**

"Fresh" means having not been frozen or frozen and thawed.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.330 Frozen.**

"Frozen" means the condition of MPRAF when it has been reduced to twenty-five degrees Fahrenheit (25° F.) or lower in temperature.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.340 Further processed.**

"Further processed" means to remove either fresh or frozen MPRAF or MPRAF product from package or container which may be labeled or unlabeled, and to change the physical condition or environment of that MPRAF or MPRAF product by thawing, preparing, cooking, rewrapping or portioning.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.350 Game meat.**

"Game meat" means warm-blooded and cold-blooded animals, excluding fish and meat food animals as defined by USDA, commercially or noncommercially raised and processed with or without continuous regulatory surveillance, including, but not limited to:

- A. Mammals such as deer, elk, antelope, buffalo, and bear;
- B. Birds; and

C. Reptiles such as alligator.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.360 Graywater.**

"Graywater" means all the waste water generated by an MPRAF establishment except for toilet wastes and garbage disposal wastes.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.370 Grocery store.**

"Grocery store" means an MPRAF establishment selling commercially prepared and prepackaged potentially hazardous foods requiring refrigeration or freezer control, whole produce and/or bulk foods for consumption off-site.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.380 Hazard analysis critical control point (HACCP).**

Hazard analysis critical control point (HACCP) means a method used to reduce the risk of foodborne illness by:

- A. Identifying hazards of high risk foods;
- B. Assessing the hazards posed by each preparation step;
- C. Determining the critical points for controlling hazards;
- D. Monitoring a critical control point or points; and
- E. Implementing immediate and appropriate corrective action when control criteria are not met.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.390 Health officer.**

"Health officer" means the director of the Seattle-King County department of public health or any of his/her designated representatives.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.400 Hermetically sealed container.**

"Hermetically sealed container" means a properly designed container, intended to keep the contents free of contamination by microorganisms and to maintain the commercial sterility of its contents after thermal processing.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.410 Immediate service.**

"Immediate service" means foods served to the public within thirty (30) minutes of preparation.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.420 Imminent or actual health hazard.**

"Imminent or actual health hazard" means a situation which if not corrected, has a high



probability of causing an illness or an exposure known to cause illness. This includes, but is not limited to:

A. A breakdown or lack of equipment or power for enough time to enhance the growth of micro-organisms in potentially hazardous foods;

B. Lack of safe, adequate, or hot water which prevents proper hand washing or equipment cleaning and sanitizing;

C. Major incidents, accidents or natural disasters which will contaminate the water system, food supplies or equipment. Examples include fire, flooding or building collapse;

D. Sewage backup within an establishment significant enough to contaminate patrons, employees, food supplies and/or equipment;

E. An MPRAF establishment which is linked to an outbreak of an on-going foodborne illness.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.430 Inspected.**

"Inspected" means examined and passed or approved, and stamped or tagged by an inspector.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.440 Inspector.**

"Inspector" means any department employee detailed to such position or function, and any person authorized to do MPRAF inspection by a governmental MPRAF inspecting and regulatory authority of the United States or the state of Washington.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.450 Law.**

"Law" means and includes federal, state, and local statutes, ordinances and rules and regulations.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.460 Meat.**

"Meat" means all animal flesh, carcasses and parts thereof that is intended for human consumption, including but not limited to fresh, frozen and cured processed meat, but excluding poultry, rabbit, aquatic food and game meat.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.470 Meat cutter.**

"Meat cutter" means any person cutting or preparing for sale, selling or dispensing or offering to sell or dispense fresh, cured or frozen meat but excludes MPRAF wrapper salesperson.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.480 Mislabeled.**

"Mislabeled" means the presence of any false or misleading written, printed, or graphic material upon or accompanying MPRAF or MPRAF products or containers.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.490 Modified atmosphere packaging.**

"Modified atmosphere packaging" means a process that completely encases food in an impermeable or partially permeable membrane, with either a partial or complete vacuum; or a gas or mixture of gases surrounding the food. Hermetically sealed containers are not considered to be modified atmosphere packaging.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.500 MPRAF.**

"MPRAF" means meat, poultry, rabbit and/or aquatic food.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.510 MPRAF establishment.**

"MPRAF establishment" means:

A. A place, location, operation site, or facility where MPRAF is manufactured, prepared, processed, packaged, dispensed, distributed, bartered, sold, or offered, regardless of whether or not compensation for food occurs. Such MPRAF establishments shall be classified accordingly:

1. MPRAF Market Establishment. "MPRAF market establishment" means all premises, buildings and/or parts thereof used for the receipt, storage, preparation for sale, sale or dispensing of fresh, frozen, and cured MPRAF and/or MPRAF products to food service establishments or to consumers.

2. MPRAF Distributor Establishment. "MPRAF distributor establishment" means all premises, buildings, and/or parts thereof used for the storage and/or dispensing without further processing of MPRAF or MPRAF products to MPRAF market establishments, food service establishments, or to the consumer.

3. MPRAF Mobile Truck Distributor Establishment. "MPRAF mobile truck distributor establishment" means all premises, buildings, and/or parts thereof used for the storage and/or dispensing without further processing of frozen MPRAF and MPRAF products to their own MPRAF mobile truck establishments.

4. MPRAF Mobile Truck Establishment. "MPRAF mobile truck establishment" means a motor vehicle permitted for use in the dispensing of frozen MPRAF products on a house-to-house basis.

5. Retail Commercial Fishing Vessel Establishment. "Retail commercial fishing vessel establishment" means any commercial fishing vessel used to dispense aquatic foods directly to consumers, provided that such aquatic foods:

a. Have been caught or harvested by the master and crew of such vessel, and are whole or dressed, and fresh or frozen; and

b. Are dispensed only directly from such vessel to consumers and only while the vessel is moored at an approved docking facility.

B. Except for the following:

1. Food service establishments which dispense only processed MPRAF;

2. Private homes where food is prepared or served for consumption by household members and/or their nonpaying guests;

3. Establishments offering only commercially prepared and packaged nonpotentially

hazardous foods sold packaged for off-premises consumption or consumption without further preparation;

4. Commercial food processing establishments, licensed and inspected by the USDA, USDC, FDA, or WSDA and not engaged in retail sales; and

5. Farmers exempt from licensure under RCW Section 36.71.090.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.520 MPRAF mobile truck driver/salesperson.**

"MPRAF mobile truck driver/salesperson" or "driver/sales-person" means any person operating an MPRAF mobile truck establishment for house-to-house transport and/or dispensing of MPRAF or MPRAF products.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.530 MPRAF products.**

"MPRAF products" means marinated, breaded, stuffed, ground and/or cured foods composed predominantly or entirely of MPRAF.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.540 MPRAF worker.**

"MPRAF worker" means the MPRAF establishment permit holder, an individual having supervisory or management duties in an MPRAF establishment, or any other person working in an MPRAF establishment.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.550 MPRAF wrapper salesperson.**

"MPRAF wrapper salesperson" means any person authorized to:

A. Handle, weigh, label, wrap, display, or package fresh, frozen, or cured MPRAF or MPRAF products for sale in a licensed MPRAF establishment or to offer for sale or to sell fresh, frozen, or cured MPRAF or MPRAF products therefrom to the consumer;

B. Cut or grind in a licensed MPRAF establishment cured MPRAF or fresh or frozen poultry, rabbit and aquatic food products, and to cut frozen meat; and

C. Serve a consumer by cutting to size a steak or roast that has been prepared by a meat cutter, or modifying any prepared cut of fresh meat, or using a slicer or cube machine.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.560 Owner.**

"Owner" means a person owning and/or responsible for the operation of an MPRAF establishment.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.570 Packaged.**

"Packaged" means bottled, canned, cartoned or securely wrapped.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.580 Person.**

"Person" means any individual, partnership, corporation, association, or other legal entity.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.590 Person in charge.**

"Person in charge" means the individual present in an MPRAF establishment and designated supervisor of the MPRAF establishment at the time of inspection or any food service worker present when a designated supervisor is absent.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.600 pH.**

"pH" means a measure of the amount of acid in a food product.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.610 Potentially hazardous food.**

"Potentially hazardous food" means any natural or synthetic edible item, material, or ingredient in a form supporting rapid and progressive growth of infectious or toxigenic microorganisms or the slower growth of *Clostridium botulinum*. Potentially hazardous food:

- A. Includes any food of animal origin, raw, cooked, or processed;
- B. Includes certain cooked or prepared foods of plant origin, including but not limited to:
  - 1. Cooked potato products,
  - 2. Dry legumes after cooking,
  - 3. Cooked rice,
  - 4. Sprouts, and
  - 5. Cut melons.
- C. Excludes foods:
  - 1. With a water activity ( $A_w$ ) value of 0.90 or less,
  - 2. With a pH level of 4.6 or below,
  - 3. Enclosed in unopened hermetically sealed containers commercially processed to achieve and maintain commercial sterility under nonrefrigerated storage and distribution conditions; and/or.

4. Where laboratory evidence acceptable to the health officer indicates no likelihood of rapid or progressive growth of infectious or toxigenic microorganisms or the slower growth of *Clostridium botulinum*.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.620 Poultry.**

"Poultry" means chickens, ducks, geese, turkeys, squabs, pheasants, guinea hens, chuckars and feathered fowl, domestic or wild, including but not limited to fresh, processed and frozen fowl, and parts thereof, that have been inspected and are intended for human consumption.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.630 Prepackaged MPRAF.**

"Prepackaged MPRAF" means MPRAF that has been bottled, canned, cartoned, securely wrapped, sealed or otherwise consumer packaged prior to dispensing so as to prevent contamination during display, transportation and/or storage.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.640 Prepare.**

"Prepare" means to slaughter, kill, eviscerate, dress-out, cut, divide, grind, trim, cube, or slice fresh meat.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.650 Processed MPRAF.**

"Processed MPRAF" means MPRAF that has been changed by cooking, smoking, canning, or any combination of these processes, or prepackaged frozen MPRAF that is from an approved source and not further processed.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.660 Product life.**

"Product life" means the time or duration during which the MPRAF or MPRAF product remains wholesome.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.670 Pull date (includes sell by, use by, etc.).**

"Pull date (includes sell by, use by, etc.)" or "consumer pull date" means that date which is determined by the establishment and placed on a consumer packaged MPRAF or MPRAF product which will indicate to the consumer the expected product life of said product.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.680 Rabbit.**

"Rabbit" means all members of the Hare family, that have been inspected and are intended for human consumption excluding wild rabbit by not being bred and raised in captivity, or not domesticated, and not raised and held in restraint in hutches or like enclosures.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.690 Reconstituted.**

"Reconstituted" means dehydrated food products recombined with water or other liquids.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.700 Repackage.**

"Repackage" means to remove MPRAF or MPRAF products from a consumer package and to check the contents for wholesomeness prior to rewrapping and re-labeling with required text including original dates.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.710 Restaurant.**

"Restaurant" means any stationary food service establishment providing seating or seating equivalents that gives, sells, or offers for sale only ready-to-eat food to the public, guests, patrons or its personnel.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.720 Restructured.**

"Restructured" means potentially hazardous foods processed and formed so surface contaminants may become incorporated inside the final product.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.730 Sanitary design.**

"Sanitary design" means smooth, nonabsorbent, and easily cleanable.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.740 Sanitized.**

"Sanitized" means effective bactericidal treatment by a process providing enough accumulative heat or concentration of chemicals for enough time to reduce the bacterial count, including pathogens, to a safe level on food contact surfaces.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.750 Sausage.**

"Sausage" means chopped or ground MPRAF, with or without spice, either in bulk or in casings.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.760 Sealed.**

"Sealed" means free of cracks or other openings permitting entry or passage of moisture or air.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.770 Self-service MPRAF.**

"Self-service MPRAF" means any site within an MPRAF establishment where consumers dispense their own prewrapped or bulk MPRAF.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.780 Service MPRAF.**

"Service MPRAF" means any MPRAF establishment where the majority of MPRAF sales are MPRAF cut and/or wrapped at the time of dispensing in the consumers presence.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.790 Single service articles.**

"Single service articles" means utensils designed, fabricated, and intended by the manufacturer for one time use.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.800 Smoked.**

"Smoked" means smoke is added as a flavoring or preservative during the cooking process.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.810 Sulfiting agents.**

"Sulfiting agents" means chemicals used to treat food to increase shelf life and enhance appearance including:

- A. Sulfur dioxide;
- B. Sodium sulfite;
- C. Sodium bisulfite;
- D. Potassium bisulfite;
- E. Sodium metabisulfite; and
- F. Potassium metabisulfite.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.820 Time/temperature.**

"Time/temperature" means the relationship between the length of time and the specific temperatures to which potentially hazardous foods are subjected during storage, transportation, preparation, cooking, cooling, reheating, dispensing, service or sale.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.830 Utensil.**

"Utensil" means any food contact implement used in storing, preparing, transporting, dispensing, serving or selling of MPRAF or MPRAF products.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.840 Water activity ( $A_w$ ).**

"Water activity ( $A_w$ )" means a measure of the amount of moisture available for bacterial growth in a food.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.04.850 Wholesome.**

"Wholesome" means in sound condition, clean, free from adulteration, and otherwise suitable for human consumption.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.06**

### **FOOD SUPPLIES**

#### **6.06.010 Generally.**

MPRAF establishment owners shall use or sell food supplies which are:

- A. From approved sources;
- B. In compliance with applicable federal, state, and local laws, ordinances, and regulations;
- C. Clean, wholesome, and free from spoilage and adulteration;
- D. Protected from becoming adulterated;
- E. Safe for human consumption; and
- F. If in hermetically sealed containers, processed in an approved commercial food processing establishment.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.06.020 Milk and milk products.**

MPRAF establishment owners shall use commercially pasteurized fluid milk, fluid milk products, dry milk, and dry milk products which meet the Grade "A" quality standards contained in the most current version of the federal Pasteurized Milk Ordinance, except:

- A. Unripened raw milk cheese and similar raw milk cultured products may be used in MPRAF establishments, only if the foods are subsequently cooked to a minimum temperature of one-hundred sixty-five degrees Fahrenheit (165° F.).

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.06.030 Shellfish.**

MPRAF establishment owners shall use or sell fresh and frozen shellfish (oysters, clams, mussels, and scallops):

- A. From sources approved by the DOH; or certified for interstate shipment in accordance with the National Shellfish Sanitation Program (NSSP); and

- B. Which are identified by one of the following methods:

1. A tag or label containing name, address, state certification number, harvest date, and location attached to bags of unshucked shellfish,
2. A label containing name, address, and state certification number attached to containers of shucked shellfish, or
3. State certification numbers and harvest location provided on invoices accompanying shellfish.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.06.040 Eggs.**

MPRAF establishment owners shall use eggs meeting WSDA or USDA standards. The use of ungraded eggs, unpasteurized liquid eggs, cracked or checked eggs is prohibited except if used for immediate service or if cooked to one-hundred forty degrees Fahrenheit (140° F.) or



above within thirty (30) minutes of breaking, or when otherwise approved by the health officer.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.06.050 Meat and poultry products.**

MPRAF establishment owners shall use or sell only USDA inspected and/or approved meat, meat products, poultry, and poultry products. Custom meat facilities defined in RCW Section 16.49.435 may process or handle uninspected meat for the household user. Custom meat facilities shall not use or sell uninspected meat to the public.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.06.060 Game meat--Commercial.**

MPRAF establishment owners shall only use or sell game meat:

- A. Processed in a state department of agriculture inspected processing plant;
- B. Processed in a processing plant with USDA voluntary inspection;
- C. Imported from outside the USA from a country having an approved program of inspection authorized by USDA or FDA; or
- D. Approved by the health officer for use in the following types of institutions:
  - 1. Jails and correction facilities, and
  - 2. Distributing organizations limited to food banks and soup kitchens specified under RCW Section 69.80.020.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.08 MPRAF PROTECTION**

#### **6.08.010 Generally.**

MPRAF establishment owners shall protect MPRAF from potential or actual sources of contamination or adulteration during transporting, storing, preparing, cooking, curing, displaying and dispensing by the following methods:

- A. Covering MPRAF or MPRAF storage containers with tightly fitting covers manufactured from approved materials such as metal, plastic, plastic wrap, or aluminum foil, except:
  - 1. During necessary preparation or cooling periods;
  - 2. When dispensing MPRAF to the consumers;
  - 3. When storing fresh, raw, unprocessed whole fruits and vegetables;
  - 4. When displaying or storing live raw or whole aquatic foods;
  - 5. During storage, quarters or sides of meat, and primal cuts may be placed on clean sanitized hooks or racks; and
  - 6. When covering MPRAF with moist clean cloths to retain moisture.
- B. Preventing the storage of MPRAF under leaking refrigeration condensers, exposed or unprotected sewer, waste or drain lines, leaking water lines, or water lines with accumulations of condensed water; except for unprotected fire protection sprinkler heads required by law.
- C. Storing MPRAF above the floor level to prevent contamination and permit easy

cleaning; except that

1. Floor storage is permitted for foods stored in bulk if contained in impervious covered containers; and
2. Floor storage is permitted when beverages are in pressurized beverage containers; or foods are protected by glass, durable plastic, cans, or other waterproof containers, and
  - a. Floors beneath the foods are dry and easily cleanable, and
  - b. Foods can be easily moved to allow cleaning of the floor.
- D. Preventing the storage of food, utensil, or single-service articles in toilet rooms, toilet room vestibules, or garbage rooms;
- E. Labeling MPRAF removed from original containers, unless the identity of the MPRAF is unmistakable;
- F. Providing protection from contamination through use of a sneeze guard, display case, packaging, or other effective measures;
- G. Minimizing hand contact with MPRAF by:
  1. Using appropriate utensils,
  2. Providing tongs, waxed papers, scoops, spatulas, ladles, and similar utensils for handling MPRAF during display or service, and/or
  3. Using single service food service gloves when appropriate.
- H. Preventing the storage of raw MPRAF above foods requiring no additional cooking or washing before service or in a manner increasing the probability of cross-contamination;
- I. Preventing the use of ice for human consumption following use for cold holding or after contamination; or
- J. By any other approved methods.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.08.020 Emergency occurrences.**

In emergency situations when an imminent or actual health hazard exists, the owner or person in charge of an MPRAF establishment shall take appropriate action to prevent adulteration of MPRAF, including the following:

- A. Protecting MPRAF from contamination;
- B. Ensuring proper temperature controls;
- C. Notifying the health officer; and/or
- D. Destroying contaminated, adulterated, or temperature abused MPRAF.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.08.030 Sulfiting agents.**

MPRAF establishment owners shall:

- A. Prohibit application of sulfiting agents in raw MPRAF.
- B. Prohibit the storage of sulfiting agents on the premises unless in packaged form, clearly labeled, and offered for retail sale; and
- C. Allow sulfiting agents only if contained within properly labeled, cured MPRAF.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.08.040 Mollusks.**

When owners of MPRAF establishments store or display mollusks in live holding systems,

they shall protect the mollusks from contamination by:

- A. Requiring an approved source for seawater placed in the system; or
  - B. Using a commercial mix for artificial seawater mixed with potable drinking water; and
  - C. Completely separating mollusks from crustaceans or fish; or
  - D. Using a gravity flow system that is:
    - 1. Designed to prevent contaminated water from the crustaceans and fish from coming in contact with the mollusks,
    - 2. Filtered to adequately remove particulate matter and ammonia, and
    - 3. Disinfected with ultra-violet or the equivalent to produce coliform free water; and
  - E. Maintaining the live holding system to insure:
    - 1. The mollusks are culled daily to remove dead or weakened animals,
    - 2. The unit and utensils are maintained, clean and in good operation,
    - 3. Defoamers, if used, are of food grade quality,
    - 4. Extra ultraviolet lights are replaced every nine to ten (9--10) months and spare bulbs are available on premises, and
    - 5. Backflow prevention devices are installed as required by the plumbing code.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.08.050 Game meat--Noncommercial.**

Owners of MPRAF establishments specified in Section 6.06.060(D) of this title shall establish control measures for the use of game meat. These control measures designed to prevent illness must include:

- A. Designation of a person in charge who is responsible for:
    - 1. Ensuring that game meat is approved for public consumption as specified in Section 6.06.060 of this title;
    - 2. Record keeping of all game meat received and used, including name of supplier/source;
    - 3. Ensuring separation of raw game meat from all other foods;
    - 4. Adequate cooking of all game meat to one-hundred sixty-five degrees Fahrenheit (165° F.) or above; and
    - 5. Maintenance of temperature monitoring and control.
  - B. Compliance with all other parts of this chapter, unless specified otherwise.
  - C. Game meat may only be possessed, handled, and processed by MPRAF establishments:
    - 1. As approved;
    - 2. For hunters who bring their game meat to the MPRAF establishment with head, hide and hooves/feet removed and receive the same game meat back after the completion of processing;
    - 3. In a manner to avoid contamination by separating raw game meat from all other foods; and
    - 4. When all processing of game meat occurs at a separate time than processing of all other MPRAF or MPRAF products.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.08.060 Cheese.**

Owners of MPRAF establishments may use mold cultured cheeses. The sale or service of moldy cheese is prohibited unless the cheese is reconditioned by removing the mold in the

following manner:

A. If the cheese has been held under refrigeration, a one-half (1/2) inch layer is removed and the moldy portions are discarded;

B. If the cheese has been held at ambient temperatures, a one (1) inch layer is removed and the moldy portions are discarded; and

C. The cutting is performed so that mold contamination of the new surfaces is minimized.

D. When cheese has high moisture content such as brie, camembert, cream cheese, or cottage cheese, or where mold filaments have deeply penetrated the surface, the entire cheese shall be discarded.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.10**

### **MPRAF PREPARATION**

#### **6.10.010 Generally.**

MPRAF establishment owners shall:

A. Maintain the internal temperature of potentially hazardous food at forty-five degrees Fahrenheit (45° F.) or below, or one-hundred forty degrees Fahrenheit (140° F.) or above, at all times except as provided in this title;

B. Limit the time potentially hazardous food remains out of proper temperature controls during active preparation to a total time of two (2) hours;

C. Store in-use serving utensils:

1. In the food product, only if the handle remains out of the food item,
2. In a running water dipper well,
3. In water above one-hundred forty degrees Fahrenheit (140° F.), or below forty-five degrees Fahrenheit (45° F.),
4. For ice making machines, either on a clean dry surface or in an approved utensil holder, or
5. By other approved methods,
6. Except that in-use serving utensils for nonpotentially hazardous food may be stored on a clean surface.

D. Ensure all foods served raw are thoroughly washed with potable water before using.

E. Prepare potentially hazardous salads, stuffings or fillings in amounts greater than two cups using cold ingredients prechilled to forty-five degrees Fahrenheit (45° F.) or below;

F. Ensure potentially hazardous foods are transported, displayed or stored in ice are prechilled to forty-five degrees Fahrenheit (45° F.) or below.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.10.020 Preparation, display and dispense.**

MPRAF establishment owners shall prepare, display, and dispense food:

A. Only with safe and necessary time-temperature steps;

B. With a minimum amount of hand contact;

C. With suitable utensils;

D. On clean, sanitized surfaces:

1. Washed, rinsed, and sanitized as required under this chapter prior to use, and
  2. Washed, rinsed, and sanitized to prevent cross-contamination.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.10.030 Transport.**

MPRAF establishment owners shall transport MPRAF or MPRAF products in vehicles maintained in a clean and sanitary condition including but not limited to the following:

A. Meat, poultry and rabbit shall be transported in a closed vehicle having a solid dust proof and vermin proof door.

B. Aquatic food may be transported in a vehicle that is not closed, provided that the aquatic food is covered and otherwise protected from dust, dirt and other contamination during transit.

C. All cut portions of MPRAF or MPRAF products shall be thoroughly wrapped, boxed or otherwise contained to prevent contamination.

D. Quarters of beef, sides of veal and larger combinations of either, and lamb or pork carcasses shall be suspended or laid on clean paper.

E. No MPRAF or MPRAF products shall come in contact with the floor, walls or ceiling of the transport vehicle.

F. No livestock or live poultry shall be transported in any vehicle used to transport prepared MPRAF or MPRAF products.

G. Temperature control during transit:

1. Frozen MPRAF or MPRAF products shall be maintained in a frozen condition at or below ten degrees Fahrenheit (10° F.) while in transit.

2. Fresh MPRAF and MPRAF products shall be maintained at a temperature of forty-five degrees Fahrenheit (45° F.) or less.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.10.040 Additional requirements.**

The health officer may require an MPRAF establishment owner to limit or modify MPRAF preparation and may prohibit the dispensing of some MPRAF items when the available equipment and/or facilities are inadequate to prepare the MPRAF in a safe and sanitary manner including but not limited to:

A. Rapid cooling or reheating;

B. Proper cooking, hot holding, cold holding, or processing potentially hazardous MPRAF;

C. Adequate sanitizing of equipment and utensils; and

D. Properly preparing produce.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.12**

## **MODIFIED ATMOSPHERE PACKAGING**

#### **6.12.010 Foods allowed.**

Modified atmosphere packaging of foods in MPRAF establishments is permitted for the following:

- A. Nonpotentially hazardous foods;
  - B. Raw meat;
  - C. Natural hard or semi-soft cheeses containing live starter culture organisms; and
  - D. Foods which are rapidly frozen and are stored frozen until reheated or thawed for immediate service. Foods frozen under this subsection shall meet all of the following continuous cooling and freezing requirements:
    - 1. Cooling foods from one-hundred forty degrees Fahrenheit (140° F.) to seventy degrees Fahrenheit (70° F.) or below within two (2) hours,
    - 2. Cooling foods from one-hundred forty degrees Fahrenheit (140° F.) to forty-five degrees Fahrenheit (45° F.) or below within four (4) hours,
    - 3. Cooling foods to below thirty-eight degrees Fahrenheit (38° F.) within twelve (12) hours, and
    - 4. Freezing foods completely to below ten degrees Fahrenheit (10° F.) within twenty-four (24) hours.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.12.020 Additional foods.**

MPRAF establishment owners shall not perform modified atmosphere packaging on the premises for any foods unless allowed under Section 6.12.010 of this chapter; except the health officer may approve additional foods to be modified atmosphere packaged only if an approved HACCP based procedure which controls the growth of bacterial pathogens is in place. Acceptable controls include:

- A. Maintaining water activity below 0.93,
  - B. Maintaining pH below 4.6,
  - C. Using processed meats or meat products, poultry, or poultry products produced in a plant regulated by USDA and received in an intact package before modified atmosphere packaging,
  - D. Properly curing the food on site using a standard recipe approved by the health officer with an initial sodium nitrite concentration of one hundred twenty (120) PPM and three and one-half percent salt concentration, or
  - E. Properly processing uncured meats or poultry on-site by monitoring critical control points established in the HACCP plan specified in Section 6.12.030(E) of this chapter.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.12.030 Additional requirements.**

Whenever foods are modified atmosphere packaged under Section 6.12.010 of this chapter all of the following are required:

- A. Store the food at thirty-eight degrees Fahrenheit (38° F.) or below,
- B. Sell the food within fourteen (14) days of packaging,
- C. Prohibit exceeding the original processors shelf life, if applicable,
- D. Establish critical control points during processing, packaging, and storage,
- E. Submit a HACCP plan for each food to the health officer for review and approval prior to any modified atmosphere packaging,
- F. Confirm water activity, pH or nitrite and brine concentrations in a certified lab,

- G. Monitor critical control points by any or all of the following:
1. Routine laboratory testing,
  2. Measuring refrigerated storage temperatures,
  3. Measuring temperatures during smoking or cooking processes,
  4. Providing other information requested by the health officer, and
- H. Maintain accurate records of critical control point monitoring specified in Section 6.12.030(D) of this section, for examination by the health officer;
- I. Attach the following labels:
1. "Keep refrigerated at thirty-eight degrees Fahrenheit (38° F.) or below and use within seven (7) days of purchase, unless frozen"; and
  2. "Sell by month/day/year" with the date established within fourteen (14) days of packaging.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.12.040 Prohibited foods.**

Modified atmosphere packaging of aquatic foods, including fish, is prohibited by the health officer except under Sections 6.12.010(D) or 6.12.020 (A), (B), (D).

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.12.050 Person in charge.**

The MPRAF establishment owner shall designate a person in charge of all modified atmosphere packaging operations to be responsible for control measures contained in Sections 6.12.030 and 6.12.070 of this chapter.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.12.060 Labeling exemptions.**

Modified atmosphere packaged foods packaged in USDA or FDA regulated plants and maintained in intact packages are exempted by the health officer from meeting labeling requirements contained in Section 6.12.030(I) of this chapter.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.12.070 Expiration requirements.**

The MPRAF establishment owner shall destroy modified atmosphere packaged foods which have exceeded the requirement for foods to be sold within fourteen (14) days of packaging (contained in Section 6.12.030(B) of this chapter), except until that date modified atmosphere packaged foods may be:

- A. Frozen; or
  - B. Removed from the packaging and used in the MPRAF establishment.
- (R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.14**

## **TEMPERATURE CONTROL**



#### **6.14.010 Thermometers.**

The MPRAF establishment owner shall:

- A. Provide metal, stem-type, numerically scaled food thermometers accurate to within two degrees Fahrenheit (2° F.) in the appropriate range for the food being tested;
- B. Ensure thermometers are checked for accuracy;
- C. Use digital thermometers or thermocouples to measure temperatures as long as they are accurate to within two degrees Fahrenheit (2° F.) and are capable of measuring all food temperatures;
- D. Equip each refrigeration unit with a numerically scaled thermometer accurate to within three degrees Fahrenheit (3° F.) located:
  - 1. Where it is easily readable, and
  - 2. In the warmest part of the unit.
- E. Ensure MPRAF workers use thermometers to measure food temperatures to attain and maintain safety for potentially hazardous foods during:
  - 1. Cooking;
  - 2. Reheating;
  - 3. Hot holding;
  - 4. Cooling; and
  - 5. Cold holding.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.14.020 Thawing.**

MPRAF workers shall safely thaw potentially hazardous foods:

- A. In refrigeration units at a temperature of forty-five degrees Fahrenheit (45° F.) or less;
- B. Under potable running water of a temperature of seventy degrees Fahrenheit (70° F.) or less with sufficient water velocity to agitate and float loose food particles into the overflow; or
- C. In an approved cooking unit as part of a continuous cooking process, only when the food depths or thickness for solid foods is less than four (4) inches.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.14.030 Cooking.**

MPRAF workers shall safely cook all parts of potentially hazardous MPRAF requiring cooking to the following minimum internal temperatures:

- A. One-hundred sixty-five degrees Fahrenheit (165° F.) or above for:
  - 1. Poultry or any food containing poultry;
  - 2. Stuffed meats or stuffing containing meats; and
  - 3. Casseroles containing potentially hazardous foods.
- B. One hundred fifty-five degrees Fahrenheit (155° F.) or above for ground, fabricated, or restructured meats; except that ground beef may be cooked to lower temperatures if specifically ordered by the immediate consumer;
- C. One hundred fifty degrees Fahrenheit (150° F.) or above for pork or any food containing pork;
- D. One hundred thirty degrees Fahrenheit (130° F.) or above for rare roast beef;
- E. One hundred forty degrees Fahrenheit (140° F.) or above for aquatic foods, including



crab and lobster that was wholesome immediately prior to cooking.

F. One hundred forty degrees Fahrenheit (140° F.) or above for all other potentially hazardous MPRAF except as specified under subsections (A) through (B) of this section;

G. Except that potentially hazardous MPRAF that have been partially cooked or blanched shall be cooled rapidly using procedures contained in Section 6.14.070 of this chapter and reheated before service as described in Section 6.14.090 of this chapter.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.14.040 Overnight cooking.**

MPRAF establishment owners shall not cook potentially hazardous MPRAF overnight without approved temperature monitoring.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.14.050 Hot holding.**

MPRAF workers shall ensure potentially hazardous MPRAF, after initial cooking or reheating, are held hot at or above the following temperatures:

A. One hundred thirty degrees Fahrenheit (130° F.) for unsliced rare roast beef; or

B. One hundred forty degrees Fahrenheit (140° F.) for all other potentially hazardous foods.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.14.060 Overnight hot holding.**

MPRAF establishment owners shall not hot hold potentially hazardous MPRAF overnight without approved temperature monitoring.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.14.070 Cooling.**

When potentially hazardous MPRAF requires cooling or cold holding after preparation, rapid methods of cooling from one hundred forty degrees Fahrenheit (140° F.) to forty-five degrees Fahrenheit (45° F.) shall be used. MPRAF workers shall use methods including:

A. Reducing solid MPRAF, such as whole turkeys and beef roasts, to pieces weighing four (4) pounds or less, and:

1. Placing immediately in a refrigerator or in a freezer; and

2. Leaving uncovered until cooled to forty-five degrees Fahrenheit (45° F.) or below, while protecting the MPRAF from cross-contamination.

B. Reducing MPRAF not listed in subsection (A) of this section to a thickness of four (4) inches or less, and:

1. Placing immediately in a refrigerator or freezer; and

2. Leaving uncovered until cooled to forty-five degrees Fahrenheit (45° F.) or below, while protecting the MPRAF from cross-contamination.

C. Using other approved methods for rapid cooling, provided the MPRAF is cooled from one hundred forty degrees Fahrenheit (140° F.) to forty-five degrees Fahrenheit (45° F.) or below within four (4) hours, or alternative cooling method approved by the USDA.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.14.080 Cold holding/display.**

A. MPRAF workers shall ensure potentially hazardous MPRAF requiring cold holding display are kept at forty-five degrees Fahrenheit (45° F.) or below by:

1. Using mechanical refrigeration;
2. Using approved insulated facilities or equipment;
3. Using ice provided:
  - a. The MPRAF is prechilled to forty-five degrees Fahrenheit (45° F.) or below,
  - b. The container is placed in ice to the height of the MPRAF;
  - c. Ice is replaced as it melts; and
  - d. Melt water is frequently drained.
4. Using refreezable ice or similar products with prior approval by the health officer; provided, that reuse of display ice is not allowed.
5. Cold holding any modified atmosphere processed food prepared on-site and any commercially prepared modified atmosphere processed foods labeled at thirty-eight degrees Fahrenheit (38° F.) or below.
6. Frozen MPRAF storage/display shall be kept at a temperature of ten degrees Fahrenheit (10° F.) or lower and the temperature thereof shall never be allowed to rise above fifteen degrees Fahrenheit (15° F.).

B. Display and Storage of MPRAF. Unwrapped raw MPRAF and cooked MPRAF shall be displayed only in display cases having both a top and a front cover and shall be otherwise protected from contamination and refrigerated at a temperature no higher than forty-five degrees Fahrenheit (45° F.); provided, that unshucked shellfish, whole crustacea, and whole eviscerated fish may be displayed in or on display cases or tables that are open at the top and may be displayed in ice if a sufficient supply of ice is placed on the product to maintain a temperature throughout the product no higher than forty-five degrees Fahrenheit (45° F.).

C. No prepackaged or cut MPRAF or MPRAF products may be kept overnight directly in ice in a display or storage case that is not mechanically refrigerated.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.14.090 Reheating.**

A. MPRAF workers shall ensure potentially hazardous MPRAF previously cooked and cooled are rapidly reheated from forty-five degrees Fahrenheit (45° F.):

1. With no interruption in the reheating process;
2. In one (1) hour or less;
3. To the following minimum temperatures:
  - a. One hundred sixty-five degrees Fahrenheit (165° F.) for MPRAF prepared in any MPRAF establishment, or
  - b. One hundred forty degrees Fahrenheit (140° F.) for MPRAF prepared in any food processing establishment under jurisdiction of the WSDA, USDA or FDA only for initial reheating.
4. In equipment designed to meet the performance standards provided in this subsection; and
5. With frequent stirring for liquid or semi-solid potentially hazardous foods.

B. MPRAF workers may reheat completely cooked potentially hazardous foods with no minimum reheating temperature only if they are:

1. Traditionally served either hot or cold, and
  2. Reheated to order in individual portions when ordered by the consumer.
- (R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.16**

### **QUALITY STANDARDS OF GROUND MPRAF**

#### **6.16.010 Generally.**

A. MPRAF establishment owners shall comply with all quality standards for ground MPRAF.

B. General Prohibition. No person shall prepare, process, or dispense any adulterated fresh or cured sausage or ground MPRAF.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.16.020 Adulterants.**

Specific Fresh Sausage and Ground MPRAF Adulterants. In addition to the adulterants specified in Section 6.04.030 of this title, ground MPRAF shall be deemed to be adulterated when containing or composed of any of the following:

1. Cereal, flour, products containing flour, grits of flour or grits of seeds from leguminous plants;
2. Any added coloring matter;
3. A greater amount of moisture than the meat or poultry from which it is prepared contained in its fresh condition, except that pork and link sausage may contain three percent (3%) added moisture;
4. Flavoring, antiseptics or preservatives other than salt, sugar, spice, or ingredients other than those approved by the health officer;
5. Other chemicals;
6. Heart, liver, tongue, spleen, tripe, blood or other offal, fat other than the natural fat contained in the MPRAF from which such ground MPRAF is prepared.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.16.030 Maximum fat requirements.**

Uncooked ground beef designated as follows shall be deemed to be adulterated if it contains fat in excess of the percentages specified below:

- A. "Ground beef" thirty percent (30%) maximum fat;
- B. "Lean ground beef" twenty-three percent (23%) maximum fat;
- C. "Extra lean ground beef" sixteen percent (16%) maximum fat;
- D. "Leanest ground beef" nine percent (9%) maximum fat.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.16.040 Additional sausage adulterants.**

In addition to the adulterants specified in Sections 6.04.030 and 6.16.020 of this chapter, sausage that is labeled as species specific, i.e., pork sausage, beef sausage, shall be deemed to be

adulterated when containing MPRAF or MPRAF products other than the species indicated.  
(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.18**

### **LABELING AND PACKAGING**

#### **6.18.010 Generally.**

MPRAF owners shall comply with consumer protection standards through packaging and labeling of MPRAF and MPRAF products.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.18.020 Wrapping material.**

Permissible Wrapping Material for MPRAF. All material used to wrap or otherwise cover or enclose MPRAF or MPRAF products for display and dispensing as prepackaged MPRAF, or at the time of dispensing of the MPRAF or MPRAF product shall be sanitary and sufficiently strong to keep the MPRAF or MPRAF products free from contamination until unwrapped by the consumer. No person shall wrap any MPRAF or MPRAF product in a material that the health officer has disapproved on the grounds of health endangerment or for other good cause.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.18.030 Prepackaged labeling requirements.**

Labeling Required at Time of Wrapping Prior to Dispensing. No person shall dispense any prepackaged MPRAF or MPRAF product unless the same is labeled to plainly designate the kind(s) of MPRAF used therein. Where more than one (1) ingredient is contained, each ingredient shall be listed on the label in the order of its predominance, by volume, in the MPRAF or MPRAF product.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.18.040 Mislabeling prohibited.**

The mislabeling of any MPRAF or MPRAF product is expressly prohibited. It is unlawful to apply or affix to, enclose with, or otherwise use in connection with any MPRAF or MPRAF product, any label or labeling that the health officer has determined to be false or misleading.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.18.050 Required text.**

Required Text for Labeling of MPRAF and MPRAF Products. No person shall dispense any package, container or receptacle containing MPRAF or any MPRAF product unless such package, container or receptacle is labeled by printing, embossing, lithographing, or other graphic means, marking, stickers, seals, wrappers, or container designs to show clearly, legibly, prominently, and informatively, the following information:

A. 1. The true name of the product, and a consumer pull date. The consumer pull date shall be stated in day and month, identified in a style and format that is readily recognizable by

consumers, be placed on the package at the time of wrapping, and, once established, shall be maintained throughout the product life and shall not be advanced or altered, even if the product is further processed.

2. Beginning August 1, 2000, a consumer pack date shall be required on products packaged on site for unit sale. The consumer pack date shall be stated in day and month, identified in a style and format that is readily recognizable by consumers and placed on the package at the time of wrapping.

B. The type or condition of contents as required (whether sliced, cut, ground, etc.). If more than one (1) ingredient is contained in the package, the label shall include the word "ingredients" followed by the information required by Section 6.18.030 of this chapter, provided that in service MPRAF establishments, ingredients for each MPRAF product must be prominently displayed at point of dispensing;

C. For prepackaged, fresh MPRAF or MPRAF products, the number or name and business address of the MPRAF establishment from which such MPRAF or MPRAF products are to be dispensed, and the number or name and business address of the establishment in which the MPRAF or MPRAF product was prepared;

D. Net weight and price per pound (except on unit weight items), total price of package, and meat grade identification of contents provided that the meat grade identification may be deleted if the meat is ground, chopped, cubed or sliced less than one-eighth inch (1/8") thick or if the product contains no meat subject to meat grade identification requirements;

E. Frozen MPRAF and MPRAF Products. No person shall dispense any previously frozen MPRAF or MPRAF product that does not have attached thereto a label, sticker, wrapper, or other informative and clearly discernible mark indicating that such MPRAF or MPRAF product has been frozen and whether or not the same has since been thawed. No person shall refreeze prior to dispensing the same any MPRAF or MPRAF product that has been frozen and then thawed, except ground meat;

F. Ham Portions. No person shall dispense any part or portion of ham less than one-half (1/2) of the whole ham without plainly labeling such part or portion as "portion";

G. Ground Beef. No person shall label ground beef without clearly identifying, on such label, the classification of the ground beef so labeled. The classifications to be used for this purpose shall be those set forth in Section 6.16.030 of this chapter, pertaining to the maximum fat content of particular classifications of ground beef;

H. Pet Food. No pet food shall be displayed or otherwise made available for self-service dispensing unless the product is completely wrapped and is clearly labeled as pet food.

I. Notwithstanding any other provision of this section, consumer packaged MPRAF or MPRAF products that have been labeled in an establishment under regular inspection by the USDA, WSDA, FDA, or USDC, and/or imported consumer packaged MPRAF or MPRAF product that has been labeled at a site outside of the USA may be dispensed as labeled at the site of labeling provided:

1. Products subject to Chapter 6.22 of this title are so labeled;
2. Products that are not consumer dated at the site of labeling must comply with the labeling and packaging requirements of this chapter;
3. Products that are shipped or received frozen with a pull date must be dispensed frozen unless further processed.

J. Labeling text is optional when MPRAF is packaged at time of sale from MPRAF service establishments.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.18.060 Labeling rewraps or reworks.**

No person shall rewrap or repackage any packaged MPRAF or MPRAF product and place a date thereon which is different from the original pull date; provided, however, that MPRAF products that are dated under governmental inspection acceptable to the health officer may be further processed and packaged within an MPRAF establishment using consumer pull dates, except that the pull dates shall not extend the original processor's established pull dates. (R&R No. 98-02 §1(part), 7-17-98)

#### **6.18.070 Dating standards.**

Each separate MPRAF establishment shall establish standards for pack date and pull date labeling. Any MPRAF or MPRAF product being offered for sale which shows signs of spoilage shall be deemed as adulterated. Any MPRAF or MPRAF product being offered for sale which has had an original date intentionally changed, except as provided for within this chapter. shall be deemed as mislabeled.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.18.080 Past date products.**

Selling consumer packaged or previously packaged MPRAF products beyond the pull dates. MPRAF products may be dispensed after their respective pull dates have expired provided such MPRAF products are wholesome, separated from other packaged or bulk MPRAF or MPRAF products, and clearly identified by labeling or signage as having expired pull dates. (R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.20 ADVERTISEMENT AND DISPLAYS**

#### **6.20.010 Generally.**

MPRAF establishment owners shall comply with consumer protection standards through advertising and displays of MPRAF or MPRAF products. (R&R No. 98-02 §1(part), 7-17-98)

#### **6.20.020 Deceptive or misleading advertisements or displays.**

A. No person shall purchase or otherwise sponsor any advertisement or display that contains any assertion, representation, picture, or statement relating to any MPRAF or MPRAF product or the dispensing of the same that is untrue, deceptive or misleading.

B. Every advertisement and display of beef, veal, calf, lamb or mutton and any cut thereof must clearly indicate the meat grade identification of the meat advertised or displayed. (R&R No. 98-02 §1(part), 7-17-98)

#### **6.20.030 Designation of cuts in advertisements and displays.**

A. No person shall advertise or display for dispensing any cut of veal, calf, beef, buffalo,

pork, lamb, mutton, horse, goat, poultry, rabbit or aquatic foods unless the advertisement or display clearly indicates the commonly accepted trade name of such cut as approved by the health officer under Health Department Rule 20.

B. No person shall advertise or display any meat roast or use the word "roast" in any advertisement or display of meat without clearly and correctly designating the roast so advertised or displayed as a "neck cut" a "blade cut" an "arm cut" a "rump cut" or other truthful designation provided under Health Department Rule 20.

C. Identification as "Imitation" or Having Added Water in Advertisements or Displays. No person shall advertise or display for dispensing any MPRAF or MPRAF food product that has been labeled, branded or otherwise marked as "imitation" or "water added" by a manufacturer or producer unless the advertisement or display clearly states that the same is "imitation" or "water added."

D. No person shall advertise or display for dispensing any "ham and water product" or "picnic and water product" or any other MPRAF and water product unless the advertisement or display clearly states the same as "ham and water product" or "picnic and water product" or other specific MPRAF and water product, and lists the percentage of added ingredients.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.20.040 Dispensing of pork.**

Advertisements, Displays and Dispensing of Pork. No person shall advertise, display or dispense any pork, or any portion or part thereof, without indicating on such advertisement, display or meat portion or part, the average weight of the whole portion from which such meat has been cut as required by Health Department Rule 20.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.20.050 Lighting.**

Use of Artificial Lighting. No person shall use any artificial light(s) so as to mislead any consumer by enhancing the natural appearance or color of any MPRAF or MPRAF product displayed for dispensing in an MPRAF establishment.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.20.060 Frozen or previously frozen.**

Advertisement or Representation of Frozen or Once-Frozen MPRAF. No person shall advertise or represent MPRAF that is or has been frozen without clearly indicating in the advertisement or representation that such MPRAF is or has been frozen except as provided under Section 6.18.050 of this title.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.20.070 Meat grade identification signs.**

Meat Grade Identification Signs in MPRAF Establishments. In an MPRAF establishment in which meat is cut, wrapped and dispensed from a service MPRAF case in the consumer's presence, the meat grade identification of all meats to be dispensed shall be designated by signs prominently displayed and using plain letters not less than one-half inch (1/2") high against a contrasting background.

(R&R No. 98-02 §1(part), 7-17-98)



#### **6.20.080 Ground beef.**

Advertisement of Ground Beef. No person shall purchase or sponsor an advertisement for uncooked ground beef without clearly identifying in such advertisement the classification of the ground beef so advertised. The classifications to be used for this purpose shall be those set forth in Section 6.16.030 of this chapter pertaining to the maximum fat content of particular classifications of ground beef.

(R&R No. 98-02 §1(part), 7-17-98)

### **Chapter 6.22 MEAT GRADE IDENTIFICATION**

#### **6.22.010 Generally.**

MPRAF establishment owners shall comply with meat grade identification requirements for the sale of any beef, veal, calf, lamb or mutton.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.22.020 Meat grade identification required.**

No person shall dispense any beef, veal, calf, lamb or mutton that does not have attached thereto a label, sticker, wrapper or other informative mark indicating one of the following meat grade identifications:

- A. The true and correct USDA grade of USDA graded products;
- B. The term, "UNGRADED BEEF" (including beef, veal, calf, lamb or mutton);
- C. The term, "IMPORTED (COUNTRY) BEEF" (including beef, veal, calf, lamb or mutton), where "COUNTRY" is the name of the country of origin of the imported beef;
- D. Provided, however, that the meat grade identification requirements of this title shall not apply to meat used in the manufacture of fresh sausage or cured meats.

(R&R No. 98-02 §1(part), 7-17-98)

### **Chapter 6.24 PERSONAL HYGIENE**

#### **6.24.010 Generally.**

MPRAF workers shall:

- A. Wear clean outer garments;
- B. Maintain a high degree of personal cleanliness; and
- C. Restrain hair as necessary.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.24.020 Handwashing.**



MPRAF workers shall wash their hands, including fingernails, in an approved handwashing facility by applying soap, using warm water, scrubbing thoroughly, rinsing, and then drying, using methods which prevent recontamination:

- A. Before starting work; and
- B. During work as often as necessary to prevent contamination of foods:
  - 1. After using the toilet,
  - 2. After handling raw meat, poultry, or aquatic foods,
  - 3. After handling unclean items,
  - 4. After eating or smoking, and
  - 5. Before handling or preparing ready-to-eat foods.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.24.030 Hand rinses.**

The MPRAF establishment owner shall ensure bactericidal and viricidal hand rinses are used only in addition to approved handwashing methods.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.24.040 Eating and tobacco use.**

The MPRAF establishment owner shall ensure eating or use of tobacco in any form by MPRAF workers is permitted only in designated areas approved by the health officer.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.24.050 Personal belongings.**

The MPRAF establishment owner shall provide adequate facilities for the orderly storage of MPRAF workers' clothing and personal belongings.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.24.060 Food and beverage service workers permits.**

- A. The person in charge of the MPRAF establishment shall ensure all MPRAF workers:
  - 1. Comply with the provisions of Chapter 69.06 RCW and Chapter 246-217 WAC,
  - 2. Obtain valid food and beverage service worker permits within fourteen (14) days from commencement of employment, and
  - 3. Maintain current food and beverage service worker permits.
- B. The person in charge of the MPRAF establishment must display or file the food and beverage service workers permits, or copies thereof, where they are available for inspection by the health officer upon request.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.26**

# **SANITARY DESIGN, CONSTRUCTION, AND INSTALLATION OF EQUIPMENT AND UTENSILS**

#### **6.26.010 Generally.**

MPRAF establishment owners shall use equipment and utensils designed and of such materials and workmanship to be:

- A. Smooth;
- B. Easily cleanable;
- C. Durable;
- D. In good repair; and
- E. In conformance with the current standards and listings of the National Sanitation Foundation or approved equivalent.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.26.020 Food contact surfaces.**

MPRAF establishment owners shall ensure food contact surfaces of equipment and utensils are:

- A. Made of food grade material;
- B. Smooth;
- C. Easily accessible for cleaning;
- D. Nontoxic;
- E. Corrosion resistant; and
- F. Nonabsorbent.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.26.030 Single service articles.**

When single service articles are used, the MPRAF establishment owner shall ensure they are:

- A. Made from clean, sanitary, and safe materials; and
- B. Prohibited from reuse.
- C. Stored in a sanitary manner; protected from contamination.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.26.040 Installation.**

MPRAF establishment owners shall install and maintain equipment to:

- A. Facilitate cleaning of equipment and adjacent areas; and
- B. Avoid placement under:
  - 1. Exposed or unprotected sewer lines;
  - 2. Open stairwells;
  - 3. Unprotected insulation; and
  - 4. Other sources of contamination. (R&R No. 98-02 §1(part), 7-17-98)

#### **6.26.050 Facilities for cleaning and sanitizing.**

A. Owners shall ensure MPRAF establishments using equipment or utensils requiring cleaning and sanitizing have within the establishment either:

- 1. Approved mechanical dishwashing facilities and a sink or equivalent in the

dishwashing area; or

2. A sink supplied with a minimum of three (3) compartments, a space for soiled equipment or utensils ahead of the first compartment, and a drain board for clean equipment or utensils when no mechanical dishwasher is available, or when equipment or utensils cannot be cleaned and sanitized in the mechanical dishwasher due to size or configuration.

B. MPRAF establishment owners shall provide sink compartments of sufficient size to accommodate the largest utensil or piece of equipment.

C. MPRAF establishment owners shall provide hot and cold running water directly to each compartment of the sinks.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.26.060 Food preparation sinks.**

A. MPRAF establishment owners shall provide sufficient food preparation sinks in which foods may be:

1. Washed, soaked, rinsed or drained;
2. Cooled or thawed; or
3. Processed in a manner requiring placement in a sink.

B. MPRAF establishment owners shall prohibit use of food preparation sinks for:

1. Handwashing;
2. Utensil washing; and
3. Other activities which may contaminate foods.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.26.070 Mop sinks.**

MPRAF establishment owners shall provide a mop sink or equivalent fixture with hot and cold running water capable of supplying and disposing of water for cleaning floors, walls and other nonfood contact surfaces.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.26.080 Exemptions.**

The health officer may exempt MPRAF establishment owners from Sections 6.26.060 and 6.26.070 of this chapter when:

A. A plan review was approved prior to the effective date of the ordinance codified in this title;

B. The MPRAF establishment was constructed prior to the effective date of the ordinance codified in this title; or

C. The method of food preparation, and/or volume of food preparation present no health hazard.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.28**

## **EQUIPMENT AND UTENSIL CLEANING AND SANITIZING**

### **6.28.010 Frequency.**

A. The following articles shall be thoroughly washed, rinsed, and sanitized in the MPRAF establishment by an MPRAF worker after each use:

1. Utensils; and
2. Food contact surfaces of equipment, except cooking surfaces.

B. All utensils and food contact surfaces of equipment used in preparation, service, display or storage of potentially hazardous foods shall be cleaned and sanitized by an MPRAF worker:

1. Following any interruption of operations during which contamination of the food contact surfaces may have occurred; and
2. Whenever contamination has occurred.

C. When equipment and utensils are used for the preparation of potentially hazardous foods on a continuous or production line basis, the MPRAF establishment owner shall ensure utensils and the food contact surfaces of equipment are washed, rinsed, and sanitized. The health officer, based on food temperatures, type of food and amount of particle accumulation shall specify the minimum time interval between cleaning operations.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.28.020 Methods.**

The MPRAF establishment owner shall ensure cleaning and sanitizing of food contact surfaces of equipment and utensils are accomplished by first prescraping or prerinsing and then by either of the following methods:

A. Manual dishwashing in proper sequence:

1. Washing in a clean, hot detergent solution;
2. Rinsing in clean, warm water;
3. Sanitizing by immersion for at least one (1) minute in:

a. A chemical sanitizing solution at proper concentration as described in Title 21, Part 178 of the Code of Federal Regulations (21 CFR Part 178), or

b. A mechanically heated sink at a temperature of at least one-hundred seventy degrees Fahrenheit (170° F.), and

4. Draining and air drying; or

B. Mechanical dishwashing which washes and then sanitizes by:

1. A high temperature final rinse with a minimum of one hundred eighty degrees Fahrenheit (180° F.) measured by the gauge;

2. A high temperature final rinse with a minimum of one hundred sixty degrees Fahrenheit (160° F.) measured at the surface of the utensil;

3. An approved concentration of chemical sanitizer as described in the Code of Federal Regulations 21.178 which is automatically dispensed; or

4. A method approved by the health officer consistent with the intent of the regulations.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.28.030 Storage after cleaning and sanitizing.**

The MPRAF establishment owner shall ensure cleaned and sanitized equipment, utensils,

and single service articles are stored to:

- A. Protect from all sources of contamination; and
- B. Minimize unnecessary handling.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.28.040 Wiping cloths.**

MPRAF workers shall ensure wiping cloths used for cleaning no food spills or wiping work surfaces, table surfaces, equipment, utensils, or MPRAF workers' hands are:

- A. Kept in a clean, sanitary condition at all times;
- B. Moistened with an approved sanitizing solution at all times when in use; and
- C. Stored in a proper concentration of sanitizing solution between uses.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.28.050 Monitoring.**

MPRAF workers shall be responsible for monitoring sanitizing operations by:

- A. Checking temperature gauges;
- B. Measuring chemical concentrations with appropriate methods; or
- C. Using premeasured sanitizing packages or tablets, following label directions.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.28.060 Additional requirements.**

The MPRAF establishment owner shall ensure that nonfood contact surfaces of equipment are cleaned at such intervals to keep them clean and in a sanitary condition.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.30**

## **POISONOUS OR TOXIC MATERIALS**

#### **6.30.010 When allowed.**

MPRAF establishment owners shall allow poisonous or toxic materials on the premises only under the following conditions:

- A. When necessary and intended for the operation and maintenance of the MPRAF establishment;
- B. When used to prevent or control pests;
- C. When used to clean and sanitize equipment, utensils, and work surfaces; or
- D. When offered for sale in a retail food store, grocery, or similar MPRAF establishment, provided these materials are separated from food and single-service articles by:
  - 1. Spacing,
  - 2. Partitioning,
  - 3. Dividers, or
  - 4. Storage below food or single-service articles; or
- E. When used in the least amount necessary to effectively do the job for which it is intended.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.30.020 Labeling.**

MPRAF establishment owners shall ensure commercially filled containers of poisonous or toxic materials are labeled in accordance with Environmental Protection Agency regulations published in Title 40 of the Code of Federal Regulations (40 CFR). Small containers may be filled or taken from a properly labeled container only when identified with the common name of the material.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.30.030 Storage and use.**

MPRAF establishment owners shall ensure poisonous or toxic materials are stored and used:

- A. In accordance with the manufacturers label requirements;
- B. In a manner preventing adulteration of food and contamination of food contact surfaces, utensils, and single-service articles; and
- C. So MPRAF workers and other persons are protected from potential health and safety hazards.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.30.040 Lubricants.**

MPRAF establishment owners shall ensure lubricants used on food contact surfaces of equipment are nontoxic and of approved food grade quality.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.32 SANITARY FACILITIES AND CONTROLS**

### **6.32.010 Water and ice source.**

- MPRAF establishment owners shall ensure:
- A. Their water source is:
    - 1. Adequate in quantity and quality;
    - 2. Supplied directly from a source approved under Chapters 246-290 or 246-291 WAC (formerly Chapter 248-54 WAC) through permanent piping and plumbing fixtures;
    - 3. Provided under pressure at the required temperatures to all fixtures and equipment that use water; and
    - 4. Monitored according to standards established by the health officer.
  - B. Bottled water is from an approved source; and
  - C. Ice used for any purpose is:
    - 1. Made from an approved water source; and
    - 2. Manufactured, stored, transported and handled in a sanitary manner.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.32.020 Liquid waste disposal.**

MPRAF establishment owners shall dispose of all liquid waste including gray water, mop water and ice melt directly into an approved public sewer system.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.32.030 Plumbing.**

MPRAF establishment owners shall ensure plumbing is:

- A. Sized, installed, and maintained in accordance with applicable state and local plumbing codes;
- B. Free of cross connections between potable water supplies and:
  - 1. Nonpotable or questionable sources of water, or
  - 2. Chemical feed lines or similar devices.
- C. Indirectly drained from ice machines, food preparation sinks, beverage ice sinks, salad bars, dipper wells, and mechanical dishwashers, into:
  - 1. A floor sink;
  - 2. Hub drain; or
  - 3. A similar device.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.32.040 Carbonated beverage dispensing machines.**

MPRAF establishment owners shall install a properly vented dual check valve device or an approved reduced pressure backflow assembly between copper pipe or tubing and carbonated beverage dispensing machines. Carbonated beverage dispensing machines installed before the effective date of the ordinance codified in these regulations are exempt from this requirement.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.32.050 Toilets for MPRAF workers.**

MPRAF establishment owners shall ensure toilet facilities for MPRAF workers are:

- A. Provided for each sex whenever four (4) persons not of the same sex are employed;
- B. Conveniently located within the MPRAF establishment;
- C. Conveniently located within two-hundred (200) feet within the same building;
- D. No more than one (1) flight of stairs from the work area;
- E. Accessible without going outdoors; and
- F. Available whenever the establishment is in operation.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.32.060 Toilets for patrons.**

The MPRAF establishment owner shall ensure toilet facilities for patrons are provided within, or convenient to, the MPRAF establishment when provision for on-premises consumption of food or drink is provided.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.32.070 Toilet joint usage.**

Toilet facilities may be used jointly by patrons and MPRAF workers, provided patrons accessing the facility are excluded from MPRAF preparation and storage areas.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.32.080 Toilet facility requirements.**

MPRAF establishment owners shall ensure all toilet facilities are:

- A. Of sanitary design;
- B. Kept clean;
- C. Kept in good repair;
- D. Provided with toilet paper; and
- E. Provided with easily cleanable waste storage receptacles.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.32.090 Handsinks for MPRAF workers.**

MPRAF establishment owners shall ensure hand sinks are:

- A. Accessible to MPRAF workers at all times;
- B. Located to permit convenient use by all MPRAF workers in MPRAF preparation, food service, and utensil washing areas and in, or immediately adjacent to, toilet facilities; and
- C. Used exclusively for hand washing.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.32.100 Handsink requirements.**

MPRAF establishment owners shall be responsible for maintenance of hand sinks designated for use by MPRAF workers and patrons and ensure each hand sink is:

- A. Provided with hot and cold running water provided through a mixing faucet;
- B. Provided with hand soap;
- C. Provided with single use towels or other hand drying devices approved by the health officer; and
- D. Kept clean and in good repair.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.32.110 Handsink hot water temperature.**

MPRAF establishment owners shall ensure hot water at all handsinks to be a minimum of one hundred degrees Fahrenheit (100° F.) and a maximum of one hundred twenty degrees Fahrenheit (120° F.) or the maximum required by the State Energy Code, as applicable.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.32.120 Automatic faucets.**

MPRAF establishment owners shall ensure hand operated automatic faucets have a minimum cycle of fifteen (15) seconds.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.34**



## **GARBAGE, RUBBISH, AND LITTER**

### **6.34.010 Generally.**

The MPRAF establishment owner shall properly store and dispose of all garbage, rubbish and litter in and around an MPRAF establishment. Storage prior to disposal shall be in containers that are:

- A. Durable;
- B. Easily cleanable;
- C. Insect and rodent proof;
- D. Nonabsorbent;
- E. In sound condition;
- F. Watertight; and
- G. Kept covered with tight fitting lids except when stored in a closed, pest-proof room or enclosure.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.34.020 Liquid wastes.**

The MPRAF establishment owner shall dispose of liquid wastes as waste water when collected from:

- A. Leaking garbage containers;
- B. Garbage compacting operations; or
- C. Cleaning operations.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.34.030 Rubbish storage.**

The MPRAF establishment owner shall store all other rubbish in containers or other areas in a manner approved by the health officer.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.34.040 Garbage storage.**

The MPRAF establishment owner shall use rooms, enclosures, areas, and containers adequate in size and number for garbage storage.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.34.050 Overflow and nuisance prevention.**

The MPRAF establishment owner shall prevent overflows and nuisances caused by garbage, rubbish, and litter by:

- A. Ensuring frequent disposal;
- B. Providing adequate cleaning facilities; and
- C. Ensuring that containers, rooms, and areas are cleaned as needed.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.34.060 Methods to reduce waste.**

The MPRAF establishment owner is encouraged to consider, with the approval of the health officer, methods to reduce waste including but not limited to:

- A. Recycling;
- B. Composting;
- C. Using worm bins;
- D. Using single service articles made of recycled materials;
- E. Using reusable utensils; and
- F. Using refillable containers.

(R&R No. 98-02 §1(part), 7-17-98)

### **Chapter 6.36 PESTS AND PEST CONTROL**

#### **6.36.010 Generally.**

MPRAF establishment owners shall:

- A. Take effective measures to control:
  - 1. Entry of pests such as rodents and insects; and
  - 2. Presence of pests.
- B. Ensure the premises are kept in such condition to prevent:
  - 1. Harborage of pests; and
  - 2. Feeding of pests.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.36.020 Pesticides.**

MPRAF establishment owners shall:

- A. Ensure only pesticides labeled for use in food service areas are stored on the premises or used to eliminate or control pests.
- B. Ensure pesticides are stored:
  - 1. In cabinets;
  - 2. In a physically separate place used for no other purpose; and/or
  - 3. Below or separate from food, food equipment, utensils, or single service articles.
- C. Ensure that pesticides are applied:
  - 1. In accordance with label directions; and
  - 2. In compliance with WSDA rules located in Chapter 16-228 WAC, pesticide regulations, to prevent adulteration of foods and contamination of food contact surfaces.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.36.030 Licensed pest control operators.**

MPRAF establishment owners shall employ the services of a licensed pest control operator when the health officer determines:

- A. Measures taken by the owner of the MPRAF establishment are ineffective;

- B. Pest problems are severe;
- C. Pest problems extend beyond the property boundaries controlled by the MPRAF establishment owner; or
- D. The owner has used pesticides improperly, in a manner endangering public health. (R&R No. 98-02 §1(part), 7-17-98)

#### **6.36.040 Automatic dispensing aerosol units.**

MPRAF establishment owners shall ensure that automatic dispensing aerosol units, if used, are:

- A. Prohibited in all areas where food is prepared, stored or dispensed; and
  - B. Installed and used only in areas outside the influence area of ventilation systems and at least twenty (20) feet away from any:
    - 1. Food storage area,
    - 2. Food preparation or service area,
    - 3. Unprotected food contact surfaces, and
    - 4. Utensil washing or storage area.
- (R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.38**

## **CONSTRUCTION AND MAINTENANCE OF PHYSICAL FACILITIES**

#### **6.38.010 Floors and floor coverings.**

MPRAF establishment owners shall:

- A. Ensure floors and floor coverings in all areas are:
  - 1. Constructed of easily cleanable materials;
  - 2. Kept clean;
  - 3. In good repair; and
  - 4. Coved at the floor/wall junctures, except for carpeted areas.
- B. Provide proper construction of floors and floor coverings with the following characteristics:
  - 1. Water impervious construction;
  - 2. Grease resistance;
  - 3. Durability; and
  - 4. Drains provided when water or pressure spray methods of cleaning are used, in any of the following areas:
    - a. Food preparation areas,
    - b. Food and utensil storage areas,
    - c. Utensil washing areas,
    - d. Walk-in refrigerators,
    - e. Dressing rooms or locker rooms with shower facilities, and
    - f. Bathrooms where toilets or urinals are located.
- C. Ensure that utility service lines and pipes and the building drainage system are:

1. Installed in a way that does not obstruct or prevent cleaning of the floor, and
  2. Are not exposed in all establishments built or extensively remodeled after April 1, 1981.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.38.020 Walls, windows, doors and ceilings.**

The MPRAF establishment owners shall:

- A. Ensure walls, windows, doors, and ceilings in all areas are clean and in good repair.
  - B. Ensure that walls are constructed, in addition to requirements in subsection A of this section, with the following characteristics:
    1. Smooth finish;
    2. Nonabsorbent surfaces; and
    3. Construction with easily cleanable materials in the following areas:
      - a. Walk-in refrigerators and freezers;
      - b. Food preparation areas;
      - c. Utensil washing areas;
      - d. Dressing rooms or locker rooms with shower facilities; and
      - e. Bathrooms.
  - C. Ensure that utility service lines and pipes and the building drainage system are:
    1. Installed in a way that does not obstruct or prevent cleaning of walls and ceilings; and
    2. Not unnecessarily exposed on walls or ceilings in walk-in refrigerators, food preparation areas, equipment-washing and utensil-washing areas, and toilet rooms or vestibules.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.38.030 Lighting.**

MPRAF establishment owners shall provide:

- A. Lighting of at least thirty (30) foot candles in the following:
    1. Areas where food is prepared or stored;
    2. Areas where utensils are washed;
    3. Areas where hands are washed;
    4. In bathrooms; and
    5. When cleaning is occurring.
  - B. Proper shields or guards for lights in the food preparation and unwrapped product display and storage areas.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.38.040 Ventilation.**

MPRAF establishment owners shall:

- A. Ensure design, installation, and maintenance of ventilation systems in accordance with applicable state and local mechanical and fire codes; and
- B. Provide ventilation systems, when necessary, to keep all areas free of excessive:
  1. Heat,
  2. Steam,
  3. Condensation,

4. Fumes and vapors, and
  5. Smoke.
  - C. Design and maintain refrigeration unit, ventilation hoods and filters to:
    1. Prevent grease and condensate from dripping into food or onto food contact surfaces, and
    2. Allow ready removal of filters for cleaning and replacement.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.38.050 Maintain premises.**

- MPRAF establishment owners shall maintain the premises by:
- A. Allowing only articles necessary for operation and maintenance of the MPRAF establishment to be stored there;
  - B. Prohibiting use of any room in the MPRAF establishment as living or sleeping quarters:
    1. Except when separated from all food service operations by complete partitions and solid doors.
  - C. Allowing only MPRAF workers or other persons authorized by the health officer in food preparation and storage areas;
  - D. Maintaining establishment and equipment in good repair.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.38.060 Animals.**

- Live animals shall be allowed entry onto MPRAF establishments only under the following conditions:
- A. Fish, crustacea and shellfish for food purposes in aquariums;
  - B. Fish in aquariums for display or decor;
  - C. Patrol dogs accompanying security or police officers; or
  - D. Guide dogs or service dogs, as defined under Chapter 70.84 RCW, are allowed to accompany a blind, visually handicapped, hearing impaired, or otherwise physically disabled person in all areas of an MPRAF establishment except in food preparation areas.
- (R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.40**

## **CUSTOMER SELF-SERVICE OF MPRAF AND BULK MPRAF DISPENSING**

#### **6.40.010 Food protection.**

- MPRAF establishment owners shall protect all foods from adulteration and contamination during customer self-service by designating a person to be responsible for the customer self-service area. This person shall:
- A. Monitor the customer self-service MPRAF areas to prevent tampering, contamination, or bare hand contact of MPRAF;
  - B. Ensure adequate temperature control of potentially hazardous MPRAF and MPRAF

products by:

1. Cooking, reheating, or prechilling MPRAF before offering for sale,
  2. Monitoring MPRAF temperatures with a metal stem thermometer, and
  3. Correcting improper storage practices.
- C. Clean up any spills that occur and rotate stock;
- D. Clean and sanitize storage containers and utensils used for MPRAF storage or handling of MPRAF;
- E. Dispose of any MPRAF returned to the MPRAF establishment or contaminated by customers; and
- F. Separate all bulk food display units from any containers of chemicals which might contaminate bulk foods and from pet foods by approved methods including one of the following:
1. Horizontal separation, different aisles, or partitions between bulk foods and chemicals or pet foods, or
  2. Vertical separation with chemicals or pet foods stored below bulk foods.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.40.020 Utensils and display containers.**

MPRAF workers shall utilize:

- A. Proper utensils when required in this chapter using the following:
1. Approved design and cleaned scoops, spatulas, tongs, and similar dispensing utensils present in or on each display container,
  2. In-use serving utensils stored in the MPRAF with the handles extending out of the MPRAF, or
  3. Dispensing utensils stored clean and dry between uses in a protective enclosure or utensil holder.
- (R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.42**

### **SALE OF HOMEMADE GOODS**

#### **6.42.010 Foods allowed.**

Homemade goods such as breads, cakes, cookies and candies may be dispensed to the public, provided such goods are produced only by community, nonprofit organizations and only when such items are not considered to be potentially hazardous.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.42.020 Food protection.**

The operator shall ensure that all such items are wrapped or otherwise protected from contamination while on display and being offered to the consumer.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.42.030 Prohibited foods.**

The operator shall not offer any product containing:

- A. Custard or cream fillings or toppings;
  - B. Whipped cream or nondairy whipped fillings or toppings;
  - C. Unpasteurized dairy product unless it is completely baked.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.42.040 Permits.**

The sale of nonpotentially hazardous homemade baked goods will be considered exempt from permit requirements. The dispensing of potentially-hazardous homemade baked goods is expressly prohibited.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.44**

### **MOBILE MPRAF TRUCK SALES**

#### **6.44.010 Generally.**

It is unlawful to transport and/or dispense MPRAF other than on a house-to-house basis in accordance with this chapter; except that licensed MPRAF establishments or other authorized, approved sources may transport and dispense MPRAF to other licensed MPRAF establishments or food service establishments.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.44.020 Permits, generally.**

House-to-house transport and/or dispensing of frozen MPRAF shall be conducted in accordance with the requirements of this chapter. It is unlawful to transport and/or dispense MPRAF on a house-to-house basis without a valid MPRAF mobile truck distributor establishment permit for the operating center and MPRAF storage facilities, and a valid MPRAF mobile truck establishment permit for each vehicle used in the house-to-house transport and/or dispensing of MPRAF. Nothing in this chapter shall be construed to authorize the house-to-house transport and/or dispensing of MPRAF that is not frozen. For purposes of this chapter, "house" means a structure used primarily for residential purposes, including but not limited to houses, apartments, townhouses, and condominiums.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.44.030 Mobile MPRAF truck sales requirements.**

- A. The owner and/or operator of an MPRAF mobile truck distributor establishment shall:
  - 1. Provide an MPRAF mobile truck distributor establishment consisting of an operating center and storage facilities capable of maintaining product in a frozen condition;
  - 2. Obtain a valid MPRAF mobile truck distributor establishment permit for the operating center and MPRAF storage facilities;
  - 3. Obtain a valid MPRAF mobile truck permit for each vehicle operating from the MPRAF mobile truck distributor establishment;
  - 4. Obtain prior health officer approval of a system enabling the health officer to locate and contact the MPRAF mobile truck driver/salespersons for routine vehicle inspections;

5. Maintain and make available for inspection a written record for each driver/salesperson, confirming that the driver/salesperson has obtained a valid state food and beverage service workers permit, an MPRAF wrapper salesperson license, and a written personal operating authorization from the health officer before conducting house-to-house transport and/or dispensing of MPRAF;

6. Maintain customer sales records at the MPRAF mobile truck distributor establishment for a minimum of six (6) months from the dates of sales, and make such records available to the health officer upon request; and

7. Obtain written confirmation from the health officer that all applicable requirements of this title have been met and all of the establishment's vehicles used for transporting and/or dispensing MPRAF have been inspected and approved before house-to-house MPRAF sales operations are initiated.

B. In addition to the other requirements of this section, the owner and/or operator and, as applicable, each MPRAF mobile truck driver/salesperson shall:

1. Ensure that house-to-house transport and/or dispensing of MPRAF are conducted in accordance with this title;

2. Make the MPRAF mobile truck distributor establishment, and each of the establishments vehicles used in the transport and/or dispensing of MPRAF, available for inspection during working hours;

3. Maintain in a sanitary condition each vehicle used for transport and/or dispensing of MPRAF, and provide cleaning and sanitizing equipment for this purpose;

4. Ensure that each vehicle used for house-to-house transport and/or dispensing of MPRAF contains an insulated, self-contained, mechanically-refrigerated freezer having a functioning temperature monitoring device, and that all MPRAF products subject to house-to-house transport and/or dispensing shall be kept frozen in the freezer until they are transferred to customers;

5. Ensure that each vehicle used for house-to-house transport and/or dispensing of MPRAF is maintained in good repair and working order;

6. Ensure that product package labels, advertising, and sales brochures comply with the MPRAF nomenclature, meat grade identification and dating requirements of this title;

7. Ensure that sales brochures that have been pre-approved by the health officer are provided to each customer at the first contact by the driver/salespersons, and left with each customer who is solicited;

8. Ensure that all products transported and/or dispensed are from sources approved by the health officer;

9. Make no false or misleading statements to customers; and

10. Ensure that any and all sample products, and any container carrying such products, are clearly marked "sample only, not for sale." For purposes of this chapter, any product shown to a customer before the customer agrees to make a purchase shall be deemed a "sample" product and shall not be sold or otherwise dispensed.

C. Each vehicle used in the house-to-house transport and/or dispensing of MPRAF shall be classified as an MPRAF mobile truck establishment operating from the MPRAF mobile truck distributor establishment. Each vehicle's original MPRAF mobile truck permit shall be conspicuously displayed in the vehicle during house-to-house transport and/or dispensing of MPRAF.

D. It is unlawful to transport and/or dispense MPRAF house-to-house without first obtaining a valid state food and beverage worker's permit, a valid MPRAF wrapper salesperson's



license, and a personal operating authorization from the health officer. In addition to obtaining each such permit and authorization, an MPRAF mobile truck driver/salesperson shall:

1. Dispense MPRAF only within his or her geographic area as assigned by the owner/operator of the MPRAF mobile truck distributor establishment;
  2. Ensure that the vehicle assigned to him/her meets the requirements for the MPRAF mobile truck permit prior to operation each day; and
  3. Dispense MPRAF house-to-house only. Dispensing MPRAF to businesses, along roadways, or in parking lots is prohibited.
- (R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.46**

### **FOOD DEMONSTRATION**

#### **6.46.010 Generally.**

Food demonstrations shall comply with the requirements of this title and Title 5 of this code.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.46.020 Additional requirements.**

The health officer may impose additional requirements to protect against health hazards related to the conduct of food demonstrations, may prohibit the serving of some or all potential hazardous food and may waive or modify requirements of this title when, in his/her opinion, a health hazard is not likely to result from such waiver or modification.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.46.030 Permits.**

A. A food demonstrator who provides personnel who conduct food demonstrations shall be required to obtain a food demonstrator permit under the King County Food Code, except that employees of a licensed MPRAF establishment may conduct MPRAF demonstrations under existing MPRAF establishment permits if required facilities are available.

B. A food demonstrator must conduct the demonstration in an MPRAF establishment under permit with the department or under the sponsorship of such MPRAF establishment, in an area immediately adjacent to and under control of the establishment.

C. The person conducting the food demonstration must have a copy of a valid food demonstration permit on site.

D. Each person engaged in food demonstration must have a valid food and beverage service worker's permit.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.46.040 Food preparation and protection.**

The food demonstrator shall:

A. Do any food preparation prior to the food demonstration in an approved food preparation area;

- B. Limit food preparation at the demonstration site to portioning, cooking and reheating the foods;
  - C. Cook or reheat potentially hazardous foods for immediate service only;
  - D. Protect foods on display from potential contamination by the use of protective shields, such as sneeze guards, dome covers or plastic wrap.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.46.050 Food dispensing.**

The food demonstrator shall avoid unnecessary manual contact with food by use of suitable utensils, including but not limited to:

- A. Single service tableware, to be discarded frequently if used for portioning;
  - B. Single service tableware, to be dispensed with each consumer's serving and not to be reused;
  - C. Clean and sanitized utensils, stored in the food with the handle extended out of the food, and replaced at frequent intervals, except scooping of frozen desserts with a reusable scoop requires a running water dipper well; or
  - D. Service of consumer portions in single service articles or separated in such a way that customers will not contact portions to be served to others.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.46.060 Operational requirements.**

Food demonstrators shall:

- A. Sanitize wiping cloths and store them in sanitizer;
  - B. Make approved toilet and handwashing facilities available in the MPRAF establishment in which the food demonstration or food promotion is held;
  - C. Provide temporary handwashing facilities if the food demonstration or food promotion site is outdoors, or farther than two-hundred (200) feet from an MPRAF establishment or on another floor. An acceptable temporary handwashing facility is comprised of a minimum two (2) gallon insulated container filled with hot water with a free-flowing spigot, a tub/bucket for wastewater, pump soap and paper towels;
  - D. Make leak proof containers available for disposal of waste from the food demonstration or food promotion.
- (R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.48 REVIEW OF PLANS**

#### **6.48.010 When to submit.**

The MPRAF establishment owner shall submit properly prepared plans and specifications to the health officer for approval whenever:

- A. An MPRAF establishment is constructed;
- B. An existing structure is converted for use as an MPRAF establishment;
- C. Significant changes to the methods of MPRAF preparation or area where MPRAF is

sold; or

D. An existing MPRAF establishment undergoes an extensive remodel, unless the health officer determines that:

1. The remodel does not substantially affect the requirements of this title, or
2. The existing MPRAF establishment requires only minor modifications to achieve compliance with this title.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.48.020 Plan approval.**

The proposed plans and specifications shall include:

- A. Information on proposed type of MPRAF preparation and sale, including:
  1. Types of MPRAF being sold;
  2. Method of MPRAF preparation and possible type of cooking;
  3. Method of sale, service or self-service; and
  4. Number of employees per shift.
- B. Information on proposed site, including:
  1. Site plan;
  2. Availability of approved public water supply;
  3. Availability of approved sewage disposal; and
  4. Accessibility for delivery traffic, garbage storage, garbage pickup frequency, and other auxiliary needs.
- C. Information on proposed facilities, including:
  1. Floorplan;
  2. Finishes used on floors, walls, and ceilings;
  3. Number, types, and locations of sinks and drain boards;
  4. Plumbing specifications, such as types and locations of fixtures and drains;
  5. Restroom design, location and number of fixtures;
  6. Types and locations of lighting;
  7. Types and locations of ventilation, including exhaust hoods, screened windows or doors; and
  8. Designation of smoking and nonsmoking sections.
- D. Information on proposed equipment, including:
  1. Material and design of food contact surfaces;
  2. Refrigeration and shelving design for rapid cooling, prechilling, thawing, and separation of raw meats from other foods;
  3. Ice-making equipment for supplying ice bath cooling, salad bar or buffet service;
  4. Cooking, reheating and hot holding equipment;
  5. Shelving for dry food storage;
  6. Mechanical dishwashing machine and associated equipment; and
  7. Design and installation of equipment, including self-service and display equipment.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.48.030 Procedure.**

The procedure for plan approval and permit issuance is as follows:

- A. The MPRAF establishment owner shall submit plans in accordance with this chapter, together with the applicable fee set forth in the fee schedule as described in this title;

B. The health officer will review the plans to determine whether they describe an establishment that complies with this title; and

C. Upon obtaining the health officer's approval of the plans, the MPRAF establishment owner shall, prior to operation:

1. Submit an MPRAF permit application with the applicable fee set forth in the fee schedule; and

2. Request a preoperational inspection.

D. The MPRAF establishment owner shall not commence operation until the health officer provides a preoperational inspection of a permanent MPRAF establishment to determine conformance with approved plans and compliance with this title.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.50**

### **PERMITS REQUIRED**

#### **6.50.010 Application and issuance.**

It is unlawful for any person to operate an MPRAF establishment without a valid MPRAF permit issued to such person by the health officer. Any person desiring to operate an MPRAF establishment shall:

A. Comply with the provisions of this title;

B. Apply in writing for a permit on forms provided by the health officer. Such application shall include the applicants full name, mailing address, and the signature of an authorized representative of the applicant; shall disclose whether such applicant is an individual, firm, or corporation, and, if a partnership, the names and addresses of all partners; the location and type of the proposed MPRAF establishment; and shall be accompanied by the permit fee as set forth in the fee schedule;

C. Obtain a permit from the health officer when inspection reveals that the applicable requirements of this title and directives of the health officer have been met and the applicable fee has been paid. The health officer may deny the application if in his/her judgment the operation of the establishment will result in a hazard to the public health. The health officer may consider any relevant health and safety factors in making this determination. The health officer may also deny the application if the applicant has any outstanding monies owed to the department for permit fees, late fees, checks returned by the bank, civil penalties, or other miscellaneous fees. If an application is, denied on the grounds of a hazard to the public health, the health officer at the time of the denial shall inform the applicant in writing of the reasons for the denial and the applicant's right to an appeal to contest the denial;

D. Obtain a duplicate permit, and pay the applicable fee in accordance with Section 1.08.270 of this code, where a permit has been lost;

E. Obtain a new permit, and pay the applicable fee in accordance with Section 1.08.280 of this code, where the name of the establishment has changed, even though there has been no change in ownership, location, or type of operation;

F. Obtain a new permit, and pay the applicable fees in accordance with the fee schedule of this title, where the ownership of the establishment has changed, even though there has been no change in name, location, or type of operation;

G. Obtain the required permit or plan review before operating an MPRAF establishment for which a permit is required.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.50.020 Effective periods--Validity--Display--Penalty clause.**

The MPRAF establishment owner operating an MPRAF establishment:

A. Shall possess a valid permit issued to him/her by the health officer. All permits issued pursuant to this title shall expire on the June 30th next following the date of issuance.

Notwithstanding any other provision hereof to the contrary, all permits issued pursuant to this title shall expire on the date set forth on the face of such permit;

B. Shall obtain a separate permit for each location at which an activity subject to a permit is conducted. Each permit shall be valid only at the location stated on the permit; shall not be transferable and shall remain the property of the department;

C. Shall post the permit conspicuously in the MPRAF establishment;

D. Shall remove from the premises or other area where it is placed as required by this chapter, every permit upon expiration, suspension or revocation. Whenever a permit is suspended or revoked, the permittee shall return the permit to the health officer. If a suspended or revoked permit is not returned, it may be removed by the health officer;

E. May be guilty of a misdemeanor pursuant to RCW Section 70.05.120 and/or local regulations if operating without a valid permit issued by the health officer.

#### **6.50.030 Permit and/or plan review exemptions.**

MPRAF establishment owners operating an MPRAF establishment may be exempt from the permit and/or plan review requirements for the dispensing of nonpotentially hazardous foods with prior authorization of the health officer and concurrence of the Washington State Department of Health.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.50.040 Misuse and alteration of license.**

A. It is unlawful to forge, simulate or alter any license, permit or certificate issued or issuable under this title, or to alter or present as true any such license, permit or certificate, knowing it to have been forged, simulated or altered, or to have possession of any such forged, simulated or altered license, permit or certificate in possession with intent to use it for any unlawful purpose.

B. It is also unlawful for any person to use, apply, affix, counterfeit or imitate the official establishment number assigned to another, or to have in his/her possession, with intent to use or apply it, any roller, stamp, device or other facility bearing any such number or mark of another.

C. It is further unlawful to apply, affix or attach to any MPRAF or MPRAF product or package any mark, tag, stamp or insignia indicating that it is inspected MPRAF or MPRAF product within the meaning of this title, unless the meat is inspected MPRAF or MPRAF product.

D. It is unlawful for any person to remove or mutilate the marks, retained or condemnation tags, or other official forms placed upon carcasses, parts thereof, MPRAF, MPRAF containers, equipment, facilities, vehicles or premises. The marks or retained or condemned tags can only be removed by an MPRAF inspector.

E. It is unlawful knowingly to obtain, present, display, pass off, transfer, or otherwise

falsely represent as one's own any license or certificate lawfully issued or issuable under this title to another. It is further unlawful knowingly to obtain or transfer any such license or certificate for the purpose of permitting the transferee to falsely represent said license or certificate as his or her own, or for any other unlawful purpose.  
(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.52**

### **OCCUPATIONAL LICENSES**

#### **6.52.010 Licenses required.**

It is unlawful for any person to engage in the business of, operate or be employed as a meat cutter, apprentice meat cutter or MPRAF wrapper salesperson within an MPRAF establishment without having a valid, appropriate personal license from the department.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.52.020 Application and issuance.**

Examination of Meat Cutter, Apprentice Meat Cutter, and MPRAF Wrapper Salesperson Applications.

A. Any applicant for an original meat cutter's license shall obtain such license only upon achieving a passing score on an examination administered by the health officer and having the required license fee; provided, that any valid original or renewal meat cutter's license issued pursuant to this section may be renewed annually upon payment of the applicable annual fee. The examination shall test an applicant's competency in the cutting, handling, care of MPRAF, knowledge of sanitation and MPRAF code requirements and the applicant's ability by the senses to recognize in MPRAF decomposition and other taints and conditions deleterious to health.

B. Any applicant for an original apprentice meat cutter's license shall obtain such license only upon (1) submitting evidence, to the satisfaction of the health officer, of enrollment in a Washington State-approved meat cutters' apprenticeship program, (2) achieving a passing score on an examination administered by the health officer, and (3) paying the required license fee; provided, that a valid original apprentice meat cutter's license issued pursuant to this section may be renewed for a maximum period of one additional year upon payment of the applicable renewal fee. Any apprentice meat cutter's license renewed pursuant to this section shall be ineligible for further renewal. The examination shall test an applicant's practical knowledge of wrapping, refrigeration, sanitation and care of MPRAF products.

C. Any applicant for an original MPRAF wrapper salesperson's license shall obtain such license for a two (2) year period only upon achieving a passing score on an examination administered by the health officer and paying the required license fee; provided, that any original or renewal MPRAF wrapper salesperson's license that has not been expired longer than thirty (30) days may be renewed for up to a five (5) year period upon payment of the applicable renewal fee. The examination shall test the applicant's practical knowledge of wrapping, refrigeration, sanitation and care of MPRAF products.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.52.030 Authorized activity.**

Activity authorized by personal licenses:

A. Meat Cutter's License. A valid meat cutter's license shall entitle its lawful holder to sell, offer to sell or to cut for sale or to dispense fresh, frozen and cured MPRAF to a consumer from a licensed MPRAF establishment.

B. Apprentice Meat Cutter's License. A valid apprentice meat cutter's license shall entitle its lawful holder to engage in all activity in which a licensed meat cutter may engage; provided, that an apprentice meat cutter may prepare (cut, grind, etc.) fresh meat for sale only while under the immediate direction and supervision of a licensed meat cutter.

C. MPRAF Wrapper Salesperson's License. A valid MPRAF wrapper salesperson's license shall entitle its lawful holder to handle, weigh, label, wrap, display or package fresh, frozen or cured MPRAF or MPRAF products for sale in a licensed MPRAF establishment, or to offer for sale or to sell fresh, cured or frozen MPRAF or MPRAF products to the consumer, and to cut or grind cured MPRAF or fresh or frozen poultry, rabbit and aquatic food products, and to cut frozen meat. Additionally, a valid MPRAF wrapper salesperson's license shall entitle its lawful holder to serve a customer by either cutting to size a steak or roast which has been prepared by a meat cutter, modifying any prepared cut of fresh meat, or using a slicer or cube machine.  
(R&R No. 98-02 §1(part), 7-17-98)

### **6.52.040 Employing unlicensed persons.**

It is unlawful for anyone to employ a person as a meat cutter, apprentice meat cutter, or MPRAF wrapper salesperson when such person does not possess a valid license to act in such capacity as required under this title, and does not also possess a valid food and beverage service worker's permit.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.54 FEES**

### **6.54.010 Fee schedule.**

A. The owner of an MPRAF establishment shall pay permit fees, plan review fees, and miscellaneous fees under this title as set forth in the fee schedule below:

#### **MPRAF Fee Schedule**

**This Fee Schedule Effective January 1, 2003, as amended**

1. Permit for MPRAF distributor establishment . \$297.00
2. Permit for MPRAF market establishment in which one (1) or more persons are engaged in preparing, processing, or dispensing MPRAF or MPRAF products:
  - a. Up to two (2) persons so engaged . . . . . \$520.00



b. Three (3) or more persons so engaged . . .	\$624.00
3. Permit for MPRAF mobile truck establishment .	\$432.00
a. Permit for MPRAF farmers market variance . .	\$216.00
4. Permit for retail commercial fishing vessel establishment	\$150.00
5. Meat cutter's license and/or apprentice meat cutter's license	\$ 25.00
6. Meat cutter's examination . . . . .	\$ 25.00
7. MPRAF wrapper salesperson's license . . . . .	\$ 8.00
8. Plan Review	
a. New construction . . . . .	\$270.00
b. Remodel . . . . .	\$205.00
c. Multiple permits in one facility (2+) (each)	\$135.00
d. Resubmittal (per hour) . . . . .	\$ 40.00
e. Subsequent pre-occupancies, on-site inspection prior to plan submittal, or on-site inspection when no plan review is required .	\$100.00
9. Miscellaneous Fees	
a. Request for variance . . . . .	\$150.00
b. After hours inspections requested by MPRAF establishment owner      Cost of service	
c. Reinspection fee . . . . . One-half the applicable annual permit fee	
d. Reinstatement of permit after suspension	Applicable annual permit fee

Provided, that the fee for any annual permit issued during the period beginning January 1st and ending June 30th of any year, shall be an amount equal to one-half (1/2) of the applicable fee stated above.

B. The owner shall submit the application and fee for a new annual permit to the health officer before commencement of the operation.

C. The health officer is authorized to charge a fee equal to one-half (1/2) of the annual permit fee when he/she deems that a second inspection is necessary following a routine inspection or complaint investigation. The health officer shall adopt administrative policies to specify the terms and conditions upon which such reinspections are made, to be based upon the extent and severity of violations found.

(R&R No. 02-04 § 1, 11-15-2002: R&R No. 98-02 §1(part), 7-17-98)

#### **6.54.020 Inspection fees outside departmental hours (hourly rate).**

The health officer is authorized to charge fees for inspection service requested by the MPRAF establishment management to be performed outside regular departmental working hours



at a rate equal to the cost of performing the service.  
(R&R No. 98-02 §1(part), 7-17-98)

#### **6.54.030 Special service fees.**

The health officer is authorized to charge such fees as he/she may deem necessary for the furnishing of special services or materials requested by the public that are not ordinarily provided under permit or pursuant to statute. Such services and materials to be furnished may include but are not limited to the following:

- A. Reproduction and/or search of records and documents.
- B. Special MPRAF establishment examination.
- C. Examination, testing, or inspection of particular products, materials, construction, equipment or appliances to determine their compliance with the provision of this title or their acceptability for use. The health officer or his/her authorized representative shall have full authority to specify the terms and conditions upon which such services and materials shall be made available, consistent with any applicable statutes and ordinances; provided, that any fees imposed pursuant to this authorization shall be reasonably equivalent to county cost for furnishing said services and materials.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.54.040 Penalty for commencing operation without approval.**

In addition to any other remedy or penalty available under this title, any MPRAF establishment owner who operates an MPRAF establishment for which a permit or plan review is required without first having obtained such permit or plan review, shall upon subsequent application for such permit or plan review pay double the fee fixed by the above schedule.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.54.050 Refunds.**

- A. An MPRAF establishment owner shall receive a refund of a permit fee only if:
  - 1. A permit is denied;
  - 2. A fee has been paid where none is imposed;
  - 3. The permit is issued where none is required;
  - 4. The permittee never engages in permitted activity due to the refusal of any governmental agency to issue a necessary license;
  - 5. The applicant for a permanent permit withdraws his/her application before the permit is issued; or
  - 6. The MPRAF establishment permit fee has been overpaid by more than twenty-five dollars (\$25.00).
- 7. Each refund shall be subject to a twenty-five dollar (\$25.00) deduction for the cost of administration. This deduction shall be waived if the permit fee was paid solely because of an error on the part of the health officer.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.56**

## **INSPECTIONS AND INVESTIGATIONS**

### **6.56.010 When required.**

Inspections or investigations of an MPRAF establishment:

- A. Shall be performed by the health officer as often as necessary for the enforcement of this title;
  - B. Shall be required by the health officer:
    - 1. Before issuing a permit to a newly constructed permanent MPRAF establishment,and
    - 2. Following extensive remodeling of an existing MPRAF establishment.
  - C. May be required by the health officer:
    - 1. For renewal of a permit;
    - 2. Before issuing a new permit to an existing MPRAF establishment;
    - 3. For an existing MPRAF establishment when the ownership has changed.
    - 4. To investigate a complaint from a member of the consuming public or other entity if deemed necessary to protect public health or determine compliance with this code.
- (R&R No. 98-02 §1(part), 7-17-98)

### **6.56.020 Access.**

- A. The person in charge of any MPRAF establishment shall permit the health officer, after proper identification, to enter at any time, for the purpose of making inspections or investigations to determine compliance with this title.
  - B. The person in charge of the MPRAF establishment shall permit the health officer to examine the records of the establishment to obtain information pertaining to:
    - 1. Food and supplies purchased, received, or used; and
    - 2. Any person enjoyed which is pertinent to an illness investigation; or
    - 3. Other matters which may affect health or the enforcement of this title.
- (R&R No. 98-02 §1(part), 7-17-98)

### **6.56.030 HACCP.**

The health officer may conduct a HACCP in lieu of, or in addition to, routine inspections. The health officer may investigate to ensure monitoring of critical control points.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.56.040 Reports.**

Whenever an inspection or an investigation of an MPRAF establishment is made:

- A. The health officer shall record the findings on an inspection report form meeting the requirements of the Washington State Department of Health;
  - B. The health officer shall state on the completed inspection report specific violations found, and establish a specific and reasonable period of time for correction; and
  - C. The health officer shall furnish a copy of the completed inspection report to the person in charge of the MPRAF establishment at the conclusion of the inspection.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.56.050 Frequency.**

- A. The health officer shall inspect all MPRAF establishments at least once a year.
  - B. The health officer shall conduct additional inspections of MPRAF establishments based upon the risk of foodborne illness transmission as determined by:
    - 1. Types of foods dispensed;
    - 2. Methods of food preparation and service; and
    - 3. Past history of compliance.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.56.060 Implementing personnel.**

The implementation and enforcement of this title shall be by persons who have been actively engaged in cutting, processing and/or preparing of meat for a minimum of five (5) years. The MPRAF program shall be supervised by a person with expertise in public health issues and demonstrated knowledge in food science and food safety.

(R&R No. 98-02 §1(part), 7-17-98)

### **Chapter 6.58**

## **EXAMINATION, HOLD ORDERS AND DESTRUCTION OF MPRAF**

#### **6.58.010 Examination and MPRAF sampling.**

The health officer may examine or collect samples of MPRAF as often as necessary for enforcement of this title. The cost of any laboratory testing shall be paid by the permit holder.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.58.020 Hold orders.**

- A. The health officer may, after notice to the person in charge, place a written hold order on any suspect food until a determination on its safety can be made and shall:
  - 1. Tag;
  - 2. Label; or
  - 3. Otherwise identify any food subject to the hold order; and
  - 4. Complete a form approved by the department for all suspect food.
- B. The hold order issued by the health officer shall include:
  - 1. Instructions for filing a written request for an administrative conference with the health officer within ten (10) calendar days; and
  - 2. Notification that if any administrative conference is not requested in accordance with the instructions provided in the hold order, and the health officer does not vacate the hold order, the food shall be destroyed under the supervision of the health officer.
- C. When foods are subject to a hold order by the health officer the MPRAF establishment owner is prohibited from:
  - 1. Using;

2. Dispensing; or
3. Moving them from the MPRAF establishment.

D. The health officer shall permit storage of MPRAF under conditions specified in the hold order, unless storage is not possible without risk to the public health, in which case, immediate destruction shall be ordered and accomplished by the owner of the MPRAF establishment.

E. Based upon evidence provided at the administrative conference, the health officer shall either:

1. Vacate the hold order; or
2. Direct the owner of the MPRAF establishment by written order to:
  - a. Denature or destroy such food, or
  - b. Bring the food into compliance with the provisions of this title.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.58.030 Destruction.**

A. The person in charge of an MPRAF establishment in which food has been improperly handled, stored, prepared or is not wholesome shall:

1. Voluntarily destroy the questionable food; or
2. Contact the health officer to determine if the food is safe for human consumption.

B. The person in charge of an MPRAF establishment shall denature or destroy any food if the health officer determines the food presents an imminent or actual health hazard.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.60 PROCEDURE WHEN DISEASE TRANSMISSION IS SUSPECTED**

### **6.60.010 Generally.**

A. When a possible foodborne illness incident is reported to any MPRAF worker, the owner and/or person in charge of the MPRAF establishment shall:

1. Immediately report the incident to the local health officer; and
2. Remove from sale and refrigerate any suspect foods until released by the health officer.

B. When the MPRAF establishment owner has reasonable cause to suspect possible disease transmission through food by any MPRAF worker, the MPRAF establishment owner may:

1. Exclude the infected personnel from employment in the MPRAF establishment; or
2. Restrict the infected personnel's duties to some area of the MPRAF establishment

where there would be no danger of transmitting disease.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.60.020 Actions to control transmission.**

A. When the health officer suspects that an MPRAF establishment, or its employees, may be a source of a foodborne illness, the health officer shall take appropriate action to control the

transmission of disease. Such actions shall include any or all of the following:

1. Secure records that may enable identification of persons potentially exposed to the disease, and/or require additional assistance in locating such persons;
2. Secure the illness history of each suspected owner, operator, or employee;
3. Exclude any suspected owner, operator, or employee from working in the MPRAF establishments until, in the opinion of the health officer, there is no further risk of disease transmission;
4. Suspend the permit of the MPRAF establishment until, in the opinion of the health officer, there is no further risk of disease transmission;
5. Restrict the work activities of any suspected owner, operator, or employee;
6. Require medical and laboratory examinations of any owner, operator, or employee and of his/her body discharges;
7. Obtain any suspect food for laboratory examination; and/or
8. Require the destruction of suspect food or prevent it from being served.

B. The health officer shall prohibit food handlers with a communicable illness in a disease or carrier state from handling food if the infectious agent can be transmitted through food.

C. The provisions of Chapter 246-100 WAC, Communicable and Certain Other Diseases, shall apply.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.62**

### **PERMIT SUSPENSION, REVOCATION AND COMPLIANCE METHODS**

#### **6.62.010 Suspensions.**

A. The health officer may suspend without notice, warning, or hearing any permit to operate an MPRAF establishment if continued operation of the MPRAF establishment constitutes an imminent or actual health hazard and:

1. A critical item on the inspection report is repeated for the third time in twelve months;
2. Operations, facilities, or equipment in the MPRAF establishment fail to comply with this title;
3. The owner does not comply with this title;
4. Interference with the health officer in the performance of his/her duties has occurred; or
5. The officer does not comply with the conditions of operation or the condition of a variance.

B. Upon receiving written notification that the permit to operate the MPRAF establishment is suspended, the owner/operator shall immediately cease all MPRAF operations.

C. The owner/operator may request a hearing before the health officer by filing a written request for such hearing with the health officer within ten (10) days of receipt of the notice of suspension, but the request for a hearing will not stay the effectiveness of the suspension.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.62.020 Reinstatement.**

A. Any MPRAF establishment owner whose MPRAF establishment permit has been suspended may at any time make written application for a reinspection for the purpose of reinstatement of the permit. The application shall include a plan for preventing recurrences and a statement, signed by the owner, that in the owner's opinion, the conditions causing the suspension of the permit have been corrected.

B. The health officer may make a reinspection following receipt of a written request for a reinspection, and reinstate the permit if the owner of the MPRAF establishment is in compliance with this title.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.62.030 Revocation.**

A. The health officer may revoke an MPRAF permit through the notice and order provisions of Chapter 1.08 of this code if:

1. Any of the grounds for permit revocation set forth in chapter 1.08 of this code have occurred; or

2. Serious and repeated violation(s) of any requirements of this title have occurred;  
or

3. A permit has been suspended three (3) times within twelve (12) months; or

4. Assault upon or threat toward the health officer in the performance of his/her duty has occurred.

B. Any person aggrieved by a notice and order of the health officer may request an appeal before the King County hearing examiner in accordance with Chapter 1.08 of this code and King County Code Chapter 20.24.

C. Any owner of an MPRAF establishment whose permit has been revoked by the health officer, after a period of six (6) months may:

1. Make written application for a new permit; and

2. Request a hearing with the health officer to determine whether a new permit will be issued.

(R&R No. 98-02 §1(part), 7-17-98)

### **6.62.040 Additional compliance methods.**

The health officer may initiate any one, or a combination of, compliance methods which include, but are not limited to:

A. Holding an administrative conference pursuant to Chapter 1.08 of this code with the MPRAF establishment owner or person in charge;

B. Placing the owner of the MPRAF establishment on probation;

C. Setting conditions for continued operation of the MPRAF establishment;

D. Requiring additional education and/or training of employees, management, and owners of the MPRAF establishment;

E. Completing a hazard analysis critical control point (HACCP) evaluation and requiring monitoring procedures be implemented for critical control points identified; or

F. Pursuant to Chapter 1.08 of this code, issuing a notice and order and assessing civil penalty fines for non-compliance.

(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.64**

### **SERVICE OF NOTICES**

#### **6.64.010 Generally.**

Service of notices provided for in this title is accomplished by:

- A. Delivering it to the holder of the permit;
  - B. Delivering it to the person in charge of the MPRAF establishment; or
  - C. Sending it by registered or certified mail, return receipt requested, to the last known address of the holder of the permit.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.64.020 Filing.**

The health officer shall file a copy of the notice in the records of the health officer.  
(R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.66**

### **HEARINGS**

#### **6.66.010 Hearings.**

The hearings before the health officer provided for in Chapter 6.62 of this title shall be:

- A. Conducted by the health officer; and
  - B. Conducted at a time and place designated by the health officer.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.66.020 Findings.**

The health officer shall:

- A. Make a final finding based upon the complete hearing record;
  - B. Sustain, modify, or rescind any notice or order considered in the hearing; and
  - C. Furnish a written report of the hearing decision to the holder of the permit.
- (R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.68**

### **VARIANCE CLAUSE**

#### **6.68.010 Generally.**

The health officer, upon written petition of the owner of the MPRAF establishment,

accompanied by the applicable fee set forth in the fee schedule may, but is not required to, grant a variance from any section of this title covering physical facilities, equipment standards, food source requirements, and transporting and/or dispensing of MPRAF on a house-to-house basis (MPRAF peddling) when:

- A. No health hazard would exist as a result of this action;
  - B. The variance is consistent with the intent of this title; and
  - C. The health officer has stated in writing under what conditions and limitations the variance is granted.
- (R&R No. 98-02 §1(part), 7-17-98)

## **Chapter 6.70**

### **TECHNICAL ADVISORY COMMITTEE**

#### **6.70.010 Membership.**

There is established a "meat, poultry, rabbit, and aquatic foods technical advisory committee," the members of which shall be the health officer, ex officio, and eight (8) appointive members, one (1) of each of the following:

- A. The meat, poultry, and rabbit consuming public;
  - B. The aquatic foods consuming public;
  - C. Meat cutters;
  - D. Health specialist;
  - E. Retail MPRAF shops in which the majority of MPRAF dispensed consists of meat, poultry or rabbit cut or wrapped in the consumer's presence;
  - F. Retail MPRAF shops in which the majority of MPRAF dispensed consists of prepackaged and processed or frozen meat, poultry or rabbit selected by the consumers from open counters;
  - G. Retail MPRAF shops in which the majority of MPRAF dispensed consists of aquatic foods; and
  - H. Wholesale MPRAF shops in which the majority of MPRAF dispensed consists of aquatic foods, wholesale MPRAF dealers who deal exclusively or primarily in aquatic foods, and holders of preparer's permits who exclusively or primarily prepare aquatic foods.
- (R&R No. 98-02 §1(part), 7-17-98)

#### **6.70.020 Appointment.**

Members of the meat, poultry, rabbit, and aquatic foods technical advisory committee, other than ex officio, shall be appointed by the director of the Seattle-King county department of public health or his or her duly authorized representative. Appointments shall be for a term of three (3) years ending December 31st of the third year of such term, subject to reappointment. Any vacancy shall be filled for the unexpired term in the same manner as original appointments. Members shall serve without compensation.

(R&R No. 98-02 §1(part), 7-17-98)

#### **6.70.030 Procedure.**



A. The meat, poultry, rabbit, and aquatic foods technical advisory committee shall organize and elect a chairperson and secretary who shall serve at the pleasure of the members. Such committee may adopt rules of procedure for its own government and shall meet in accordance with RCW Chapter 42.30, as amended.

B. The meat, poultry, rabbit, and aquatic foods technical advisory committee may examine meat, poultry, rabbit, and aquatic foods regulations adopted by the King County board of health, make recommendations thereon and may review and recommend new methods and techniques of MPRAF and MPRAF product preparation, processing, storage, and dispensing, but shall act in advisory capacity only.

(R&R No. 98-02 §1(part), 7-17-98)